# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC., and NICE SYSTEMS, LTD.,	)
Plaintiffs, v.	) ) Civil Action No. 06-311-JJF
WITNESS SYSTEMS, INC.,	REDACTED DOCUMENT
Defendant.	, )

# **DECLARATION OF JOSEPH M. DRAYTON** IN SUPPORT OF PLAINTIFFS' MOTIONS IN LIMINE TO PRECLUDE ADMISSION OF EVIDENCE

#### JOSEPH M. DRAYTON declares:

- I am counsel at the law firm Kaye Scholer LLP, counsel for Plaintiffs 1. NICE Systems, Inc. and NICE Systems, Ltd. ("NICE") in this action. I am a member in good standing of the bars of the States of New York and Maryland and am admitted pro hac vice in this case.
- 2. Attached to this Declaration of Joseph M. Drayton in Support of Plaintiffs' Motions in Limine To Preclude the Use of Evidence Improperly Raised in Defendant's Expert Reports as Exhibits A through L are true and correct copies of the following:
  - Exhibit A: Witness' Objections and Responses to Plaintiffs' First Set of Interrogatories, dated January 18, 2007
  - Exhibit B: Witness' Objections and Responses to Plaintiffs' Second Set of Interrogatories, dated March 2, 2007

Exhibit C: Witness' Supplemental Responses to Plaintiffs' Interrogatory 2(a), dated April 30, 2007 Exhibit D: Witness' Supplemental Responses to Plaintiffs' Interrogatories 2 and 2(a), dated May 30, 2007 Exhibit E: Witness' Third Supplemental Responses to Plaintiffs' Interrogatories 2 and 2(a), dated July 10, 2007 Exhibit F: Witness' Fourth Supplemental Responses to Plaintiffs' Interrogatories 2 and 2(a), dated September 10, 2007 Exhibit G: Expert Report of Dr. John Strawn, dated December 21, 2007 Exhibit H: Expert Report of Dr. Jeffrey S. Vitter, dated December 21, 2007 Exhibit I: Joint Stipulated Order, dated October 2, 2007 Exhibit J: NICE's Second Set of Interrogatories to Witness, dated January 31, 2007 Exhibit K: NICE's First Set of Interrogatories to Witness, dated December 19, 2006 Exhibit L: Witness' Initial Disclosures, dated October 17, 2006

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.

Executed on January 2, 2008

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# EXHIBIT A

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

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NICE SYSTEMS, INC. and NICE SYSTEMS LTD,

Plaintiffs,

C.A. No. 1:06-CV-00311-JJF

٧.

WITNESS SYSTEMS, INC.

Defendant.

# DEFENDANT WITNESS SYSTEMS, INC. S OBJECTIONS AND RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD. S FIRST SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Local Rules of the District of Delaware, Defendant Witness Systems, Inc. (Witness Systems) responds to the First Set of Interrogatories propounded by Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, NICE) as follows:

#### **GENERAL OBJECTIONS**

A. Witness Systems generally objects to all of NICE's Interrogatories to the extent they seek the disclosure of information constituting or reflecting attorney-client communications protected by the attorney-client privilege. By responding to any particular Interrogatory, Witness Systems does not intend nor does it waive the attorneyclient privilege or any other applicable privilege that it may have, and Witness Systems specifically intends to assert the same. Inadvertent disclosure of any privileged information shall not constitute a waiver of privilege or of any other basis for objecting to discovery with respect to such information.

- В. Witness Systems generally objects to all of NICE's Interrogatories to the extent they seek the disclosure of information, documents, or communications constituting or reflecting attorney work product, including without limitation the thought processes or mental impressions of Witness Systems attorneys concerning the preparation, prosecution or defense of any claim by or against Witness Systems, which are protected by the work product exemption from discovery. By responding to any particular Interrogatory, Witness Systems does not intend nor does it waive work product immunity or any other applicable privilege that it may have, and Witness Systems specifically intends to assert the same. Inadvertent disclosure of any information protected by work product immunity shall not constitute a waiver of the immunity or of any other basis for objecting to discovery with respect to such information.
- C. Witness Systems objects to identification of information regarding any privileged or work product documents or information created or prepared by any of its employees, attorneys, agents, or representatives on or after May 10, 2006, the date this action was filed. Witness Systems believes that the categorical identification of such withheld documents and/or information satisfies any identification requirements predicate to a proper assertion of the applicable privilege or immunity.
- D. Witness Systems objects to each Interrogatory to the extent it seeks information not within Witness Systems possession, custody or control.
- E. Witness Systems objects to each Interrogatory to the extent it seeks information not relevant to any claim or defense in this case or reasonably calculated to lead to the discovery of information relevant to any claim or defense.

- F. Witness Systems objects to each Interrogatory to the extent that it seeks information constituting trade secrets, proprietary information, or other confidential or competitively sensitive technical or business information, outside the protections afforded by an appropriate protective order. Such Witness Systems information will only be produced subject to a protective order governing the exchange of such information in this case. Witness Systems further objects to each Interrogatory to the extent it seeks information constituting trade secrets, proprietary information, or other confidential or competitively sensitive technical or business information of a third party.
- G. Witness Systems' responses to these Interrogatories do not constitute an admission or acknowledgment that the information sought is within the proper scope of discovery.
- H. Witness Systems objects to each Interrogatory to the extent that it is unduly burdensome. Witness Systems also objects to the definition of "Accused Products" on the grounds that it is overly broad, unduly burdensome, and vague and ambiguous to the extent it fails to identify specific products and/or versions of specific products, and to the extent it may include products and/or versions not identified by NICE in response to Witness Systems' Interrogatory No. 13.
- I. Witness Systems objects to these Interrogatories and to the "Definitions and Instructions" to the extent they purport to enlarge upon or are otherwise inconsistent with the duties imposed by the Federal Rules of Civil Procedure or the Local Rules for the District of Delaware or to the extent that they attempt to use a word or phrase in a manner other than its normal and customary meaning.

- J. Witness Systems' responses herein are based upon such information and documents as have been reviewed to date, after a reasonable search of those files and locations where it reasonably believes responsive documents may be located. The responses herein are given without prejudice to Witness Systems' right to supplement these responses and produce evidence of any subsequently discovered facts or documents, or facts or documents that Witness Systems may later develop.
- K. Witness Systems objects to each and every interrogatory to the extent that it is a premature because discovery is still in its very early stages and the claims of the patents-in-suit have yet to be construed. Witness Systems is still formulating its contentions regarding the claims and defenses of the parties and specifically reserves the right to supplement theses responses as its investigation continues.
- L. Witness Systems objects to these Interrogatories to the extent that, including subparts, they exceed the maximum number of interrogatories allowed in this action.
- M. Witness Systems' responses to each Interrogatory are made without in any way waiving: (a) the right to object, on the grounds of competency, relevancy, materiality, privilege or admissibility as evidence for any purpose in any subsequent proceeding in this case; and (b) the right to object on any ground to any other Interrogatories involving or relating to the subject matter of these Interrogatories.

# SPECIFIC OBJECTIONS AND RESPONSES

Subject to the foregoing General Objections, each of which is incorporated by reference below in each separate response, Witness Systems responds to the Interrogatories as follows:

#### **INTERROGATORY NO. 1:**

Describe in detail the factual and legal bases for Witness' contention that Witness Systems has not and does not infringe, directly or indirectly, any claim of any of the 738, 371, 005, 570, 345, 370, 920, 079, and/or 109 patents, either literally or under the doctrine of equivalents. The detailed description of such factual and legal bases should include, without limitation, an identification on a claim-by-claim basis of each claim limitation Witness contends is not met by the Accused Products, either literally or under the doctrine of equivalents.

#### **RESPONSE TO INTERROGATORY NO. 1:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent NICE has failed to identify specific products and/or versions of specific products by its definition of the "Accused Products" and has refused to identify whether NICE's infringement contentions regarding the "Accused Products" are based on literal infringement, infringement under the doctrine of equivalents, direct infringement, contributory infringement, and/or infringement by inducement. Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it mischaracterizes and purports to state Witness Systems' contention.

Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Exhibit A.

Witness Systems' investigation of this matter is ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

#### **INTERROGATORY NO. 2:**

Describe in detail the factual and legal bases for Witness' contention that Ithe claims of the '738, '371, '005, '345, '372, '370,'920, '079, and '109 patents are invalid for failure to comply with the United States patent laws, 35 U.S.C. §§ 1, et seq., including without limitation § § 102, 103, and/or 112. The detailed description of such factual and legal bases should include, without limitation, an identification of which aspect(s) of 35 U.S.C. § 112 Witness contends the Patents-In-Suit do not meet and an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **RESPONSE TO INTERROGATORY NO. 2:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it mischaracterizes and purports to state Witness Systems' contention.

Subject to and without waiving the foregoing objections, Witness Systems responds as follows:

Witness Systems believes one or more of the claims of the 109, 371 and 920 patents are invalid for failure to satisfy 35 U.S.C. § 112, ¶ 1.

Witness Systems believes one or more claims of the 109, 370, 570, 371, 920, 005, 372, 079 and 738 Patents are invalid for failure to satisfy 35 U.S.C. § 112, ¶ 2.

Witness Systems believes one or more of the claims of the '738 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,121,058; 4,124,773; 4,254,304; 4,260,854; 4,360,910; 4,523,055; 4,549,047; 4,564,936; 4,573,140; 4,602,129; 4,625,081; 4,663,777; 4,672,662; 4,674,083; 4,791,660; 4,829,514; 4,839,888; 4,882,729; 4,998,249; 5,093,825; 5,105,421; 5,129,036; 5,179,585; 5,179,627; 5,185,781; 5,227,987; 5,265,075; 5,276,678; 5,283,638; 5,291,479; 5,353,377; 5,509,059; DE 39 23 631 A1; EP 0 185 445 A2; EP 0 261 790 A2; EP 0 412 799 A2; EP 0 444 536 A2; JP 57024148; WO 85/05000; WO 8912271; WO 90/04298; Rolm Introduces Digital PBX Line, Electronic News, v29, n1472 (Nov 21, 1983); Signal Processing Software For A Voice Messaging System Using The TMS32010 Processor, 1985 IEEE Int. Conf. on Acoustics, Speech and Signal Processing, pages 1417-1420; Siemens Unveils The HCM 200 - A Fully Digital, Voice/Data Hybrid, Teleconnect, v7, n11 (Nov 1989); Telephone Logging, Teleconnect, v8, n10 (Oct 1990); Digital Audio System, IEEE ASSP Magazine, October 1985; Multiprocessor System For Speech Processing And Telecommunication, IEEE, 1984; Communication Processors, Proceeding of the IEEE, Vol. 60, No. 11, November 1972; Text-to-Speech Unit Simplifiers Interface for Computer Interaction, Computer Technology Review, Dec. 1985, Vol. 5, Iss. 4; Modular Voice Processor, IEEE, 1991; An Audio Computer Interface: A Case Study of Structured Electronic Equipment Design, Microprocessing and Microprogramming, Amsterdam: Mar 1986, Vol. 17, Iss. 3; Digital Circuit Multiplication Gets 120 Speech Channels From T1, Data Communications v16, n2, Feb 1987; Digital Delivers Voice Processing Across Computer Networks, Telephony, V220, n17, April 29, 1991; Multiple Microprocessor System For Real Time Speech

Signal Processing, IEEE ELECTRONICOM 85, Conference Proceedings, 622-5 vol. 3, 1985; Computer Interfacing Of The Rockwell International ADAP For Flexible Digital Audio Processing, Proceedings Of The 1980 Carnahan Conference On Crime Countermeasures: 1980; The DSC-2000 VoiceServer System, Office Proceedings of Speech Tech 85, Voice Input/Output Applications Show and Conference: 84-8, 1985; PBX Helps University Provide Voice and Data, Telephony, Chicago: Jun 29, 1987, Vol. 212, Iss. 26; Data Compression, Satellite Communications, Atlanta: May 1985, Vol. 9, Iss. 5; General DataComm Ltd, Computing Canada v17, n9, April 25, 1991; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of claims of the '371 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,051,355; 4,121,058; 4,221,933; 4,260,854; 4.408.309; 4.412.098; 4.523.055; 4.549.047; 4.573.140; 4.805.217; 4.829.514; 4.841.574; 4,864,543; 4,873,589; 4,891,835; 4,905,141; 4,963,866; 4,985,914; 4,998,272; 5,012,459; 5,025,324; 5,031,218; 5,142,527; 5,210,829; 5,241,428; 5,343,452; 5,345,430; 5,359,468; 5,371,551; 5,406,425; 5,539,897; 5,564,033; 5,581,606; 5,710,978; 5,819,005; 5,946,445; 5,974,015; 6,208,476; DE 40 15 626 A1; DE 40 24 231 A1; EP 0 321 077 A2; EP 0 372 894 A2; EP 0 449 213 A2; EP 424116; EP 490239; EP 503480; GB 2 212 359 A; JP 05325511; JP 62192077; Digital Audio Tape For Data Storage, IEEE Spectrum October, 1989; A New Play-Back Method for R-DAT Using Non-Tracking Signal Processing, IEEE September 11, 1991; Rolm Introduces Digital PBX Line, Electronic News, v29, n1472 (Nov 21, 1983); Signal Processing Software For A Voice Messaging System

Using The TMS32010 Processor, 1985 IEEE Int. Conf. on Acoustics, Speech and Signal Processing, pages 1417-1420; Siemens Unveils The HCM 200 - A Fully Digital, Voice/Data Hybrid, Teleconnect, v7, n11 (Nov 1989); Telephone Logging, Teleconnect, v8, n10 (Oct 1990); Eyretel e1000; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '345 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,399,331; 4,471,169; 4,475,011; 4,510,351; 5,003,574; 5,048,079; 5,153,909; 5,159,698; 5,163,085; 5,164,983; 5,181,239; 5,287,270; 5,325,290; 5,434,910; 5,465,286; 5,500,795; 5,517,560; 5,535,256; 5,535,261; 5,539,808; 5,559,867; 5,559,875; 5,619,557; 5,668,863; 5,696,811; 5,710,978; 5,715,307; 5,740,233; 5,784,452; 5,793,861; 5,799,073; 5,818,907; 5,864,616; 5,867,599; 5,903,641; 5,923,746; 5,926,535; 5,933,780; 5,940,494; 5,946,375; 5,982,857; 5,991,373; 6,022,753; 6,058,163; 6,072,860; 6,084,954; 6,091,808; 6,097,792; 6,151,386; 6,252,945; 6,304,648; 6,314,089; 6,327,343; 6,345,094; 6,363,145; 6,385,301; 6,393,106; 6,404,883; 6,430,270; 6,466,663; 6,490,350; 6,526,397; 6,567,504; 6,665,376; 6,665,395; 6,732,082; 6,741,697; 6,788,315; 6,874,119; 6,975,707; 6,975,708; 6,988,205; 7,020,250; 7,027,578; 7,065,192; 7,092,494; 7,142,650; EP 0 572 544 B1; EP 0 572 544 B1; EP 0 572 544 B1; EP 0 946 032 A2; EP 0 946 032 A2; EP 380798; WO 00/76188; WO 00/76188 A1; Duration Distribution Analyzer; Tibaldo, F.; Veronese, G.Revue F.I.T.C.E. vol.13, no.3, 19-23, May-June 1974; A Dependent Processor For A Multiprocessing Telephone Switching System, Neville, S.M.L Vandermolen, G.L. Proceedings Of The National Electronics Conference,

9-11 Dec. 1968, 578-83, Chicago, IL, USA; Phone Lines Controlled By Microprocessor, Elektrotehniski Vestnik vol.51, no.5, 185-92, Oct.-Dec. 1984; Social Security Administration: Information on Monitoring 800 Number Telephone Calls, General Accounting Office, Washington, DC, Health Education and Human Services Div. 8 Dec 1987; Recording Call Center Performance, Electric Perspectives, Jul/Aug 1998 by Tom Eastland; Ichat, Now Acuity, Launches Web Call Center, Computergram International, June 1, 1998; Web-Enabled Call Center From Netspeak, Telemarketing & Call Center Solutions, Apr. 1998; New Call Center Query Tools Help Bring Wisdom To Management, Telemarketing & Call Center Solutions, Jan 1998 by Zack Taylor; How Logging And Monitoring Technologies Improve Quality In A Call Center, Telemarketing & Call Center Solutions, Jan 1998 by Gary Shearer, The Evolution Of Digital Recording In The Call Center, Telemarketing & Call Center Solutions, Nov 1997 by Michael Binder; Centralized Call Center Data: The Hidden Corporate Asset, Telemarketing & Call Center Solutions, Aug 1997 by Cynthia Holladay; Call Center Management System From AVT, Telemarketing & Call Center Solutions, June 1997; Managing The Call Center Deluge, Telemarketing, June 1995 by Larry Jernigan; Value-Added Software Applications Vital To Future Call Center Management, Telemarketing, Oct 1995 by Dianna Walta; Call Logging Solutions For The Call Center, Telemarketing & Call Center Solutions, June 1996 by Joav Avtalion; Aspect Puts OLE And ACD To Work On Call Center Reports, Network World, 11 Dec 1995 by David Rohde; Making Workforce Management A Part Of Your Inbound Solution, Telemarketing & Call Center Solutions, June 1998 by Margaret Sansom; Playing The Numbers: Using ACD Statistics For Workforce Management, Telemarketing & Call Center Solutions, Mar 1998 by Illah

Nourbakhsh; CentreVu from Lucent, Telemarketing & Call Center Solutions, Mar 1998; Health Care Provider's Quality Monitoring Pays Off, Telemarketing & Call Center Solutions, Jan 1998 by Ron Elwell; Mustang Internet Message Center, Telemarketing & Call Center Solutions, March 1998; Desktop Screen Capture From Teknekron Infoswitch, Telemarketing & Call Center Solutions, August 1997; Monitoring Technology Helps Keep Customers Satisfied, Telemarketing & Call Center Solutions, July 1997 by Ron Elwell; How Logging & Monitoring Technologies Improve Quality, Telemarketing & Call Center Solutions, Feb 1997 by Joav Avtalion; E-Ware (including E-Ware Replay) Versions 1.0.003, 1.0.004, 1.0.006, 1.0.008, 1.0.0011, 1.0.031, 1.0.036, 1.0.037, 1.0.038, 1.0.039, 1.0.044, 1.0.045; Eyretel e1000; Eyretel e500; MediaStore; ContactStore; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '372 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,488,274; 4,597,077; 4,634,809; 4,757,497; 4,805,172; 4,893,301; 5,003,574; 5,133,081; 5,200,993; 5,265,075; 5,351,276; 5,392,329; 5,488,648; 5,524,147; 5,533,103; 5,559,875; 5,623,540; 5,740,231; 5,751,961; 5,799,063; 5,812,644; 5,828,730; 5,864,616; 5,905,775; 5,930,341; 5,945,989; 5,982,857; 5,999,965; 6,014,437; 6,052,454; 6,122,357; 6,122,364; 6,222,838; 6,230,197; 6,266,400; 6,311,186; 6,385,646; 6,493,434; 6,535,586; 6,587,871; 6,724,875; 6,850,609; 7,051,182; 7,092,494; 2001/004369; 2002/0075587; 2002/0080927; 2003/0009464; 2003/0191970; 2006/0253627; CA 2 217 923; DE 41 42 094 A1; EP 0 637 160 A2; EP 0 642 250 A2; EP 0 837 388 A2; EP0450610; GB 2 317 782 A; H001918; JP 05-324448 A; WO

99/12326; WO9738422A1; WO 98/13995; An Overview Of The Etherphone System And Its Applications, Zellweger, P.T., Terry, D.B., Swinehart, D.C., Computer Workstations, 1988, Proceedings of the 2nd IEEE Conference on 7-10 March 1988 Page(s) 160 168; Why Optimistic Message Logging Has Not Been Used In Telecommunications Systems, Yennun Huang, Yi-Min Wang, Fault-Tolerant Computing, 1995, FTCS-25, Digest of Papers, Twenty-Fifth International Symposium, 27-30 June 1995, Page(s) 459 463; Data Logging: A Method For Efficient Data Updates In Constantly Active RAIDS, Gabber, E., Korth, H.F., Data Engineering, 1998 Proceedings, 14th International Conference, 23-27 Feb. 1998 Page(s) 144 153; Standardization On Multimedia Communications: Computer-Telephony-Integration-Related Issues, Asatani, K., Communications Magazine, IEEE Volume 36, Issue 7, July 1998, Page(s) 105 109; Establishing The Value Of Voice Communication With Computers, Lea, W., Audio and Electroacoustics, IEEE Transactions on Volume 16, Issue 2, Jun 1968, Page(s) 184 197; A Recording and Processing System for Accounting and Traffic Analysis on a Large PABX, Myskja, A., IEEE Transactions on Communications, Volume 19, Issue 5, Part 1, Oct 1971 Page(s) 692 699; E-Ware (including E-Ware Replay) Versions 1.0.003, 1.0.004, 1.0.006, 1.0.008, 1.0.0011, 1.0.031, 1.0.036, 1.0.037, 1.0.038, 1.0.039, 1.0.044, 1.0.045; Eyretel e1000; Eyretel e500; MediaStore; ContactStore; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '370 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,399,331; 4,471,169; 4,475,011; 4,510,351;

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5,003,574; 5,048,079; 5,153,909; 5,159,698; 5,163,085; 5,164,983; 5,181,239; 5,287,270; 5,325,290; 5,434,910; 5,465,286; 5,500,795; 5,517,560; 5,535,256; 5,535,261; 5,539,808; 5,559,867; 5,559,875; 5,619,557; 5,668,863; 5,696,811; 5,710,978; 5,715,307; 5,740,233; 5,784,452; 5,793,861; 5,799,073; 5,818,907; 5,864,616; 5,867,599; 5,903,641; 5,923,746; 5,926,535; 5,933,780; 5,940,494; 5,946,375; 5,982,857; 5,991,373; 6,022,753; 6,058,163; 6,072,860; 6,084,954; 6,091,808; 6,097,792; 6,151,386; 6,252,945; 6,304,648; 6,314,089; 6,327,343; 6,345,094; 6,363,145; 6,385,301; 6,393,106; 6,404,883; 6,430,270; 6,466,663; 6.490.350; 6.526.397; 6.567,504; 6.665,376; 6.665,395; 6.732,082; 6.741,697; 6.788,315; 6,874,119; 6,975,707; 6,975,708; 6,988,205; 7,020,250; 7,027,578; 7,065,192; 7,092,494; 7,142,650; EP 0 572 544 B1; EP 0 572 544 B1; EP 0 572 544 B1; EP 0 946 032 A2; EP 0 946 032 A2; EP 380798; WO 00/76188; WO 00/76188 A1; IBM System 7 Traffic Monitoring Program, Pensiero, W.S., Dahlman, P.O., International Conference on Communications, 17-19 June 1974, Minneapolis, MN, USA; International Conference on Communications: 4D/1-5, 1974; Monolog-A Single-Line Call Logging Device, British Telecommunications Engineering vol. 8, pt.1, 1-5, April 1989; Survey of Remote Data Monitoring Systems, Automation Industries, Inc., Silver Spring, MD, Vitro Labs. Div. Sponsor Department of Energy, Washington, DC, Sep. 1984; Telephone Cost Meter, Electronics Now 66 Apr. 95; Recording Call Center Performance, Electric Perspectives, Jul/Aug 1998 by Tom Eastland; Ichat, Now Acuity, Launches Web Call Center, Computergram International, June 1, 1998; Web-Enabled Call Center From Netspeak, Telemarketing & Call Center Solutions, Apr 1998; New Call Center Query Tools Help Bring Wisdom To Management, Telemarketing & Call Center Solutions, Jan 1998 by Zack Taylor; How Logging And Monitoring Technologies Improve Quality In A Call

Center, Telemarketing & Call Center Solutions, Jan 1998 by Gary Shearer; The Evolution Of Digital Recording In The Call Center, Telemarketing & Call Center Solutions, Nov 1997 by Michael Binder; Centralized Call Center Data: The Hidden Corporate Asset, Telemarketing & Call Center Solutions, Aug 1997 by Cynthia Holladay; Call Center Management System From AVT, Telemarketing & Call Center Solutions, June 1997; Managing The Call Center Deluge, Telemarketing, June 1995 by Larry Jernigan; Value-Added Software Applications Vital To Future Call Center Management, Telemarketing, Oct 1995 by Dianna Walta; Call Logging Solutions For The Call Center, Telemarketing & Call Center Solutions, June 1996 by Joav Avtalion; Aspect Puts OLE And ACD To Work On Call Center Reports, Network World, 11 Dec 1995 by David Rohde; Making Workforce Management A Part Of Your Inbound Solution, Telemarketing & Call Center Solutions, June 1998 by Margaret Sansom; Playing The Numbers: Using ACD Statistics For Workforce Management, Telemarketing & Call Center Solutions, Mar 1998 by Illah Nourbakhsh; CentreVu from Lucent, Telemarketing & Call Center Solutions, Mar 1998; Health Care Provider's Quality Monitoring Pays Off, Telemarketing & Call Center Solutions, Jan 1998 by Ron Elwell; Mustang Internet Message Center, Telemarketing & Call Center Solutions, March 1998; Desktop screen capture from Teknekron Infoswitch, Telemarketing & Call Center Solutions, August 1997; Monitoring Technology Helps Keep Customers Satisfied, Telemarketing & Call Center Solutions, July 1997 by Ron Elwell; How Logging & Monitoring Technologies Improve Quality, Telemarketing & Call Center Solutions, Feb

1997 by Joav Avtalion; E-Ware (including E-Ware Replay) Versions 1.0.003, 1.0.004,

 $1.0.006,\, 1.0.008,\, 1.0.0011,\, 1.0.031,\, 1.0.036,\, 1.0.037,\, 1.0.038,\, 1.0.039,\, 1.0.044,\, 1.0.045;$ 

Eyretel e1000; Eyretel e500; MediaStore; ContactStore; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '920 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,488,274; 4,597,077; 4,634,809; 4,757,497; 4,805,172; 4,893,301; 5,003,574; 5,133,081; 5,200,993; 5,265,075; 5,351,276; 5,392,329; 5,488,648; 5,524,147; 5,533,103; 5,559,875; 5,623,540; 5,740,231; 5,751,961; 5,799,063; 5,812,644; 5,828,730; 5,864,616; 5,905,775; 5,930,341; 5,945,989; 5,982,857; 5,999,965; 6,014,437; 6,052,454; 6,122,357; 6,122,364; 6,222,838; 6,230,197; 6,266,400; 6,311,186; 6,385,646; 6,493,434; 6,535,586; 6,587,871; 6,724,875; 6,850,609; 7,051,182; 7,092,494; 2001/004369; 2002/0075587; 2002/0080927; 2003/0009464; 2003/0191970; 2006/0253627; CA 2 217 923; DE 41 42 094 A1; EP 0 637 160 A2; EP 0 642 250 A2; EP 0 837 388 A2; EP0450610; GB 2 317 782 A; H001918; JP 05-324448 A; WO 99/12326; WO9738422A1; WO 98/13995; An Overview Of The Etherphone System And Its Applications, Zellweger, P.T., Terry, D.B., Swinehart, D.C., Computer Workstations, 1988, Proceedings of the 2nd IEEE Conference on 7-10 March 1988 Page(s) 160 – 168; Why Optimistic Message Logging Has Not Been Used In Telecommunications Systems, Yennun Huang, Yi-Min Wang, Fault-Tolerant Computing, 1995, FTCS-25, Digest of Papers, Twenty-Fifth International Symposium, 27-30 June 1995, Page(s) 459 – 463; Data Logging: A Method For Efficient Data Updates In Constantly Active RAIDs, Gabber, E., Korth, H.F., Data Engineering, 1998 Proceedings, 14th International Conference, 23-27 Feb. 1998, Page(s) 144 – 153; Standardization On Multimedia

Communications: Computer-Telephony-Integration-Related Issues, Asatani, K., Communications Magazine, IEEE Volume 36, Issue 7, July 1998, Page(s), 105 – 109; Establishing the Value of Voice Communication with Computers, Lea, W., Audio and Electroacoustics, IEEE Transactions on Volume 16, Issue 2, Jun 1968, Page(s) 184 – 197: A Recording and Processing System for Accounting and Traffic Analysis on a Large PABX, Myskja, A., IEEE Transactions on Communications Volume 19, Issue 5, Part 1, Oct 1971; E-Ware (including E-Ware Replay) Versions 1.0.003, 1.0.004, 1.0.006, 1.0.008, 1.0.0011, 1.0.031, 1.0.036, 1.0.037, 1.0.038, 1.0.039, 1.0.044, 1.0.045; Eyretel e1000; Eyretel e500; MediaStore; ContactStore; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '079 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 5,163,085; 5,590,171; 5,655,081; 5,668,863; 5,790,650; 5,790,798; 5,854,825; 5,854,832; 5,857,190; 5,914,951; 5,923,746; 5,991,373; 6,122,740; 6,263,049; 6,370,574; 6,510,220; 6,600,821; 6,665,395; 6,724,887; 6,850,609; EP 0 622 969 B1; EP 0 818 104 B1; EP 0 903 921 A2; EP 1 061 720 A2; EP 1 115 264 A2; EP 1 211 619 A2; Recording Call Center Performance, Electric Perspectives, Jul/Aug 1998 by Tom Eastland; Ichat, Now Acuity, Launches Web Call Center, Computergram International, June 1, 1998; Web-Enabled Call Center From Netspeak, Telemarketing & Call Center Solutions, Apr. 1998; New Call Center Query Tools Help Bring Wisdom To Management, Telemarketing & Call Center Solutions, Jan 1998 by Zack Taylor; How Logging And Monitoring Technologies Improve Quality In A Call

Center, Telemarketing & Call Center Solutions, Jan 1998 by Gary Shearer; The Evolution Of Digital Recording In The Call Center, Telemarketing & Call Center Solutions, Nov 1997 by Michael Binder; Centralized Call Center Data: The Hidden Corporate Asset, Telemarketing & Call Center Solutions, Aug. 1997 by Cynthia Holladay; Call Center Management System From AVT, Telemarketing & Call Center Solutions, June 1997; Managing The Call Center Deluge, Telemarketing, June 1995 by Larry Jernigan; Value-Added Software Applications Vital To Future Call Center Management, Telemarketing, Oct 1995 by Dianna Walta; Call Logging Solutions For The Call Center, Telemarketing & Call Center Solutions, June 1996 by Joav Avtalion; Aspect Puts OLE And ACD To Work On Call Center Reports, Network World, 11 Dec 1995 by David Rohde; Making Workforce Management A Part Of Your Inbound Solution, Telemarketing & Call Center Solutions, June 1998 by Margaret Sansom; Playing The Numbers: Using ACD Statistics For Workforce Management, Telemarketing & Call Center Solutions, Mar 1998 by Illah Nourbakhsh; CentreVu from Lucent, Telemarketing & Call Center Solutions, Mar 1998; Health Care Provider's Quality Monitoring Pays Off, Telemarketing & Call Center Solutions, Jan 1998 by Ron Elwell; Mustang Internet Message Center, Telemarketing & Call Center Solutions, March 1998; Desktop Screen Capture From Teknekron Infoswitch, Telemarketing & Call Center Solutions, August 1997; Monitoring Technology Helps Keep Customers Satisfied, Telemarketing & Call Center Solutions, July 1997 by Ron Elwell; How Logging & Monitoring Technologies Improve Quality, Telemarketing & Call Center Solutions, Feb 1997 by Joav Aytalion; Eyretel MediaStore with Funk Screen Capture Recorder; Unify;

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and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '109 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 5,382,972; 5,440,624; 5,590,171; 5,655,081; 5,668,863; 5,757,889; 5,854,825; 5,857,190; 5,923,746; 5,991,373; 6,122,740; 6,263,049; 6,298,129; 6,301,246; 6,404,857; 6,665,395; 6,668,044; 6,731,609; U.S. Application 20010043697; DE 103 24 872 A1; EP 0 846 395; EP 1 115 264 A2; EP 1 335 571 A1; EP 1 351 436 A1; EP 1 432 217 A2; WO 02/19620 A2; WO 94 22 246 A1; WO 99 46 702 A1; Real-Time Disk Storage And Retrieval Of Digital Audio/Video Data, U.Cal Berkeley EECS Dept., August 1991; Apple Computer's Quicktime Conferencing Kit Now Shipping; ISDN Upgrade Kits Soon to Follow, PR Newswire, 18 December 1995; First Virtual Ports Products to Corporate Intranet, Enabling Business-Quality Videoconferencing, Video on Demand, and Live Broadcast From the Web Browser, PR Newswire, 27 January 1997; Internet Conferencing With Networked Virtual Environments, by John and Elizabeth Towell, Internet Research, 1995 Vol. 5, Iss. 3; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '570 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 4,399,331; 4,471,169; 4,475,011; 4,510,351; 5,003,574; 5,048,079; 5,153,909; 5,159,698; 5,163,085; 5,164,983; 5,181,239; 5,287,270; 5,325,290; 5,434,910; 5,465,286; 5,500,795; 5,517,560; 5,535,256; 5,535,261; 5,539,808;

5,559,867; 5,559,875; 5,619,557; 5,668,863; 5,696,811; 5,710,978; 5,715,307; 5,740,233; 5,784,452; 5,793,861; 5,799,073; 5,818,907; 5,864,616; 5,867,599; 5,903,641; 5,923,746; 5,926,535; 5,933,780; 5,940,494; 5,946,375; 5,982,857; 5,991,373; 6,022,753; 6,058,163; 6,072,860; 6,084,954; 6,091,808; 6,097,792; 6,151,386; 6,252,945; 6,304,648; 6,314,089; 6,327,343; 6,345,094; 6,363,145; 6,385,301; 6,393,106; 6,404,883; 6,430,270; 6,466,663; 6,490,350; 6,526,397; 6,567,504; 6,665,376; 6,665,395; 6,732,082; 6,741,697; 6,788,315; 6,874,119; 6,975,707; 6,975,708; 6,988,205; 7,020,250; 7,027,578; 7,065,192; 7,092,494; 7,142,650; EP 0 572 544 B1; EP 0 572 544 B1; EP 0 572 544 B1; EP 0 946 032 A2; EP 0 946 032 A2; EP 380798; WO 00/76188; WO 00/76188 A1; Build A Telephone-Usage Monitor And Controller, Dave Dage, Electronics Now v69.n8 (August 1998); Ever Taken A Call On Your Computer?, (AT&T Computer Phone 8130) (Network Edition First Looks) Frank J. Derfler; Complementary Solutions' Telemate Facilities Manager: Call Accounting, Cable Management And More, Lyle Deixler, Teleconnect v12, n5 (May 1994); Tap Into The Secret Service Of Telephone Line: WHOSS CALLING?, Computer Shopper, V12, n6 (June 1992); Call Monitoring, Gill, S. Business Equipment Digest: 26, July 1993; Intelligent Call Processing In Automatic Call Distributors, Wang, E., Business Communications Review, vol.18, no.1, 22-6, Jan.-Feb. 1998; Electronic Supervisor: New Technology, New Tensions, Office of Technology Assessment, Washington, DC. Sponsor: National Aeronautics and Space Administration, Washington, DC, Sept 1987; E-Ware (including E-Ware Replay) Versions 1.0.003, 1.0.004, 1.0.006, 1.0.008, 1.0.0011, 1.0.031, 1.0.036, 1.0.037, 1.0.038, 1.0.039, 1.0.044, 1.0.045; Eyretel e1000; Eyretel e500; MediaStore; ContactStore; and any and all references of record in the file

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history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems believes one or more of the claims of the '005 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: 3,855,617; 4,121,058; 4,124,773; 4,221,933; 4.221,933; 4.378,574; 4.412,098; 4,521,879; 4,523,055; 4,549,047; 4,553,223; 4,573,140; 4,791,660; 4,841,574; 4,985,914; 5,146,439; 5,163,085; 5,163,134; 5,185,781; 5,194,995; 5,245,667; 5,265,075; 5,297,231; 5,396,371; 5,437,050; 5,446,880; 5,506,891; 5,515,352; 5,526,408: 5,581,606: 5,710,978: 5,764,847: 5,790,177: EP 0 372 894 A2; EP 0 550 274 A2; EP 0 642 250 A2; EP 0 731 592 A2; EP 503480; JP 05-324448 A; JP 63056766; Rolm Introduces Digital PBX Line, Electronic News, v29, n1472, Nov 21, 1983; Signal Processing Software For A Voice Messaging System Using The TMS32010 Processor, 1985 IEEE Int. Conf. on Acoustics, Speech and Signal Processing, pages 1417-1420; Siemens Unveils The HCM 200 - A Fully Digital, Voice/Data Hybrid, Teleconnect, v7, n11 Nov 1989; Telephone Logging, Teleconnect, v8, n10, Oct 1990; A Second-Generation Digital Signal Processor, IEEE, 1986; Editing Digital Audio, IEEE, 1984; Modular Voice Processor, IEEE, 1991; Voice Processing System, The Internal Auditor: Jun 1992, 49, 3, ABI/INFORM Global; Digital Recording Arrives, Popular Science, New York, Apr 1993. Vol. 242, Iss. 4; Data loggers, Systems International, London, Jul 1980, Vol. 8, Iss. 7; Voice-Data Digitization Too New For Standards, Unix World, v6, n10, Oct. 1989: Hard Drive's Read-Channel Electronics Fit On One Chip; Small Form-Factory Drives Benefit From Analog And Digital Integration, Electronic Design, v39, n7, April 11, 1991; Trends and Technology in Data Recording, Automation, v19, n1, Jan.

1983; Digital Audio Tape for Data Storage, IEEE Spectrum, New York, Oct 1989, Vol. 26, Iss. 10; Eyretel e1000; Eyretel e500; and any and all references of record in the file history of this patent and/or any related patent, including matter incorporated by reference therein.

Witness Systems' investigation of this matter is ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

#### **INTERROGATORY NO. 3:**

Describe in detail the factual and legal bases for Witness' contention that [b]y virtue of the proceedings in the USPTO during the prosecution of the applications that matured into the '738, '371, '005, '345, '372, '370,'920, '079, and '109 patents, as illustrated by their prosecution histories, NICE is estopped from asserting that Witness Systems has infringed directly or indirectly, any claim of any of the '738, '371, '005, '345, '372, '370,'920, '079, and '109 patents, either literally or under the doctrine of equivalents. The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **RESPONSE TO INTERROGATORY NO. 3:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action.

Subject to and without waiving the foregoing objections, Witness Systems responds as follows:

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '345 Patent based on the '345 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '345, '370, and/or '570 patents; during prosecution of U.S. Pat. Nos. 6,246,752; 6,252,946; 6,937,706; 6,252,947; and/or 6,785,369; during prosecution of Patent Cooperation Treaty (PCT) App. Ser. No. PCT/US00/15748; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '370 Patent based on the '370 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '345, '370, and/or '570 patents; during prosecution of U.S. Pat. Nos. 6,246,752; 6,252,946; 6,937,706; 6,252,947; and/or 6,785,369; during prosecution of PCT App. Ser. No. PCT/US00/15748; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '109 Patent based on the '109 Patent specification, and/or the specification of U.S. Pat. App. Ser. No. 60/228,124; and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '109 Patent; during prosecution of U.S. Pat. No. 7,010,106; during prosecution of PCT App. Ser. No.

PCT/IL01/00805; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '738 Patent based on the '738 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '738 Patent; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '371 Patent based on the '371 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '371 Patent; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '079 Patent based on the '079 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '079 Patent; during prosecution of U.S. Pat. No. 6,542,602, U.S. Pat. App. Ser. Nos. 10/451,371 and/or 10/766,851; the specification of U.S. Pat. App. Ser. No. 60/259,158; during prosecution of PCT App. Ser. No. PCT/IL02/00009; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '920 Patent based on the '920 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '920 Patent; during prosecution of the '372 Patent; during prosecution of PCT App. Ser. No. PCT/US00/15419; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '372 Patent based on the '372 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '372 Patent; during prosecution of the '920 Patent; during prosecution of PCT App. Ser. No. PCT/US00/15419; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems believes NICE should be estopped from asserting that Witness System has directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of the '005 Patent based on the '005 Patent specification and/or based on amendments, replies and/or other filings filed with the USPTO during prosecution of the '005 Patent; during prosecution of U.S. Pat. App. Ser. Nos. 08/100,944 and/or 09/672,148; and/or during prosecution of other patent applications and/or patents related thereto.

Witness Systems' investigation of this matter ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

# **INTERROGATORY NO. 4:**

Describe in detail the factual and legal bases for Witness' contention that "NICE'S patent infringement claims are barred by the doctrine of laches. detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **RESPONSE TO INTERROGATORY NO. 4:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory to the extent that it calls for legal conclusions.

Subject to and without waiving the foregoing objections, Witness Systems responds as follows: NICE unreasonably and inexcusably delayed bringing suit, despite having had long-standing knowledge of Witness Systems' products, which NICE now accuses of infringement in this litigation. By way of example only, NICE was aware of the existence of Witness Systems' products as early as July 2004, as evidenced by the decision of its wholly owned subsidiary, STS Software Systems Ltd. ("STS"), to bring a patent infringement action against Witness Systems. NICE, however, initiated this suit only after a long period of inaction. Witness Systems has suffered material prejudice as a consequence of NICE's unreasonable delay, evidenced, in part, by Witness' continued research and development of the products accused of infringement in this case.

Witness Systems' investigation of this matter is ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

#### **INTERROGATORY NO. 5:**

Describe in detail the factual and legal bases for Witness' contention that NICE'S patent infringement claims are barred based on the doctrine of equitable estoppel. The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **RESPONSE TO INTERROGATORY NO. 5:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory to the extent that it calls for legal conclusions.

Subject to and without waiving the foregoing objections, Witness Systems states by way of example only that the assertions made and positions taken by NICE in the prior Dictaphone litigation involving the '371 patent should equitably estop NICE from obtaining the relief it seeks in this action. Witness Systems incorporates by reference its Response to Interrogatory No. 9 as if fully stated herein. Witness Systems anticipates that as this action proceeds, further facts and information may be discovered which may

further support Witness Systems' affirmative defense, and Witness Systems will supplement this response as appropriate as its investigation continues. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

# **INTERROGATORY NO. 6:**

Describe in detail the factual and legal bases for Witness' contention that NICE'S patent infringement claims are barred based on the doctrine of waiver. The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### RESPONSE TO INTERROGATORY NO. 6:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory to the extent that it calls for legal conclusions.

Subject to and without waiving the foregoing objections, Witness Systems responds, by way of example only, that NICE voluntarily and intentionally relinquished its right to enforce the asserted patents against Witness Systems at least by failing to do so in prior litigation involving the same products. In 2004, NICE, through its whollyowned subsidiary, STS, sued Witness Systems alleging, at various times, infringement of four separate patents. That suit encompasses essentially the same products accused of

infringement in this case, yet NICE never alleged infringement of the patents at issue in this case.

Witness Systems' investigation of this matter is ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

# **INTERROGATORY NO. 7:**

Describe in detail the factual and legal bases for Witness' contention that NICE's patent infringement claims are barred based on the doctrine of unclean hands. The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **RESPONSE TO INTERROGATORY NO. 7:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory to the extent that it calls for legal conclusions.

Subject to and without waiving the foregoing objections, Witness Systems responds as follows: In prior litigation with Dictaphone before NICE obtained the '371 patent, NICE asserted that the '371 patent is unenforceable due to breaches of the duty of candor by the named inventors and/or others substantively involved in the prosecution of the applications that resulted in that patent. The patentee's inequitable conduct in procuring the '371 patent has an immediate and necessary relation to the enforcement of

the other patents asserted in this lawsuit because Witness Systems believes that the assertion of the '371 patent is an integral part of NICE's underlying strategy and thus the assertion of the '371 patent has an immediate and necessary relationship to the enforcement of the other patents asserted in this lawsuit, and therefore constitutes unclean hands. Witness Systems further incorporates by reference its response to Interrogatory No. 9 as though fully set forth herein.

Witness Systems' investigation of this matter is ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

## **INTERROGATORY NO. 8:**

Describe in detail the factual and legal bases for Witness' contention that NICE'S claims for damages for purported patent infringement are limited by 35 U.S.C. § 287. The detailed description of such factual and legal bases should include, without limitation, an identification of any NICE product (or products) that Witness contends fails to give notice to the public that it is covered by a patent and should include an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **RESPONSE TO INTERROGATORY NO. 8:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems' responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory to the extent that it calls for legal conclusions.

Subject to and without waiving its objections, Witness Systems states that it does not believe NICE or Dictaphone marked embodying products with the numbers of the Patents in Suit, nor did NICE provide notice to Witness Systems of NICE's infringement claims prior to filing suit. As a result, NICE's damages, if any, are limited by Section 287. Witness Systems anticipates that as this action proceeds and discovery has proceeded beyond its very early stages, further information may be discovered. Accordingly, Witness Systems specifically reserves its right to amend and/or supplement this response as its investigation continues.

#### **INTERROGATORY NO. 9:**

Describe in detail the factual and legal bases for Witness' contention that [t]he '371 patent is unenforceable due to the intentional failure to disclose to the USPTO, during prosecution, information known to be material to the patentability of the subject matter claimed in the '371 patent, in violation of the duties of candor and good faith required under 37 C.F.R. § 1.56. The detailed description of such factual and legal bases should include, without limitation, identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

# RESPONSE TO INTERROGATORY FOR PRODUCTION NO. 9:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems further objects to this Interrogatory to the extent that it seeks information subject to the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent that it calls for legal conclusions.

Subject to and without waiving the foregoing objections, Witness Systems responds as follows: On June 19, 2000, Dictaphone Corporation sued NICE for patent infringement in a complaint filed in the United States District Court for the District of Connecticut. Dictaphone Corp. v. NICE Sys. Ltd., No. 3:00-CV-1143 ("the Dictaphone action"). That lawsuit alleged, *inter alia*, that NICE infringed the '371 patent, then owned by Dictaphone.

In defending against the Dictaphone action, NICE alleged:

Upon information and belief, one or more individuals associated with the filing and prosecution of the application that led to U.S. Patent No. 5,396,371 knew of a public use or sale in the United States of at least one digital audio logger or at least one publication disclosing at least one digital audio logger, including but not limited to Racal Recorder Inc.'s Rapidax product, more than one year prior to the filing date.

Upon information and belief, the public use or sale in the United States and/or publications disclosing the Rapidax product, includes all the elements of at least one claim of U.S. Patent No. 5,396,371 and as a result this information material [sic] to the patentability of the claims at the time of filing.

Upon information and belief, although one or more individuals associated with the filing and prosecution of the application that led to the U.S. Patent No. 5,396,371 knew of this information prior to filing the application, one or more of these individuals intentionally failed to disclose this information to the U.S. Patent Office.

The conduct described by NICE, above, constitutes inequitable conduct rendering the '371 patent unenforceable.

Witness Systems' investigation of this matter is ongoing and discovery is in its very early stages. Witness Systems specifically reserves its right to amend and/or supplement this response as that investigation continues.

DATED: January 18, 2007

FISH & RICHARDSON P.C.

/s/ Kyle Wagner Compton

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ATTORNEYS FOR DEFENDANT WITNESS SYSTEMS, INC.

# **CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of January, 2007, I caused a copy of DEFENDANT WITNESS SYSTEMS, INC.'S OBJECTIONS AND RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC.'S AND NICE SYSTEMS LTD.'S FIRST SET OF INTERROGATORIES to be served on the following counsel of record in the manner indicated below:

#### **VIA EMAIL & HAND DELIVERY:**

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Attorneys for Plaintiffs Nice Systems Ltd. and Nice Systems, Inc.

#### VIA EMAIL & FIRST CLASS MAIL:

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Attorneys for Plaintiffs Nice Systems Ltd. and Nice Systems, Inc.

Kyle Wagner Compton (#4693)

# EXHIBIT B

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD,

Plaintiff's,

C.A. No. 1:06-CV-00311-JJF

WITNESS SYSTEMS, INC.

Defendant,

# DEFENDANT WITNESS SYSTEMS, INC.'S OBJECTIONS AND RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC.'S AND NICE SYSTEMS LTD.'S SECOND SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Local Rules of the District of Delaware, Defendant Witness Systems, Inc. ("Witness Systems") responds to the Second Set of Interrogatories propounded by Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, "NICE") as follows:

#### **GENERAL OBJECTIONS**

A. Witness Systems generally objects to all of NICE's Interrogatories to the extent they seek the disclosure of information constituting or reflecting attorney-client communications protected by the attorney-client privilege. By responding to any particular Interrogatory, Witness Systems does not intend to, nor does it waive, the attorney-client privilege or any other applicable privilege that it may have, and Witness Systems specifically intends to assert the same. Inadvertent disclosure of any privileged information shall not constitute a waiver of privilege or of any other basis for objecting to discovery with respect to such information.

В. Witness Systems generally objects to all of NICE's Interrogatories to the extent they seek the disclosure of information, documents, or communications constituting or reflecting attorney work product, including without limitation the thought processes or mental impressions of Witness Systems' attorneys concerning the preparation, prosecution or defense of any claim by or against Witness Systems, which are protected by the work product exemption from discovery. By responding to any particular Interrogatory, Witness Systems does not intend to, nor does it, waive work product immunity or any other applicable privilege that it may have, and Witness Systems specifically intends to assert the same. Inadvertent disclosure of any information protected by work product immunity shall not constitute a waiver of the immunity or of any other basis for objecting to discovery with respect to such information.

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- Witness Systems objects to the identification of information regarding any C. privileged or work product documents or information created or prepared by any of its employees, attorneys, agents, or representatives on or after May 10, 2006, the date this action was filed. Witness Systems believes that the categorical identification of such withheld documents and/or information satisfies any identification requirements predicate to a proper assertion of the applicable privilege or immunity.
- Witness Systems objects to each Interrogatory to the extent it seeks D. information not within Witness Systems' possession, custody or control.
- E. Witness Systems objects to each Interrogatory to the extent it seeks information not relevant to any claim or defense in this case or reasonably calculated to lead to the discovery of information relevant to any claim or defense.

- F. Witness Systems objects to each Interrogatory to the extent that it seeks information constituting trade secrets, proprietary information, or other confidential or competitively sensitive technical or business information, outside the protections afforded by an appropriate protective order. Such Witness Systems information will only be produced subject to a protective order governing the exchange of such information in this case. Witness Systems further objects to each interrogatory to the extent it seeks information constituting trade secrets, proprietary information, or other confidential or competitively sensitive technical or business information of a third party.
- G. Witness Systems' responses to these Interrogatories do not constitute an admission or acknowledgment that the information sought is within the proper scope of discovery, relevant or admissible.
- H. Witness Systems objects to each Interrogatory to the extent that it is unduly burdensome. Witness Systems also objects to the definition of "Accused Products" on the grounds that it is overly broad, unduly burdensome, and vague and ambiguous to the extent it fails to identify specific products and/or versions of specific products, and to the extent it may include products and/or versions not identified by NICE in response to Witness Systems' Interrogatory No. 13.
- I. Witness Systems objects to these Interrogatories and to the "Definitions and Instructions" to the extent they purport to enlarge upon or are otherwise inconsistent with the duties imposed by the Federal Rules of Civil Procedure or the Local Rules for the District of Delaware or to the extent that they attempt to use a word or phrase in a manner other than its normal and customary meaning.

- J. Witness Systems' responses herein are based upon such information and documents as have been reviewed to date, after a reasonable search of those files and locations where it reasonably believes responsive documents may be located. The responses herein are given without prejudice to Witness Systems' right to supplement these responses and produce evidence of any subsequently discovered facts or documents, or facts or documents that Witness Systems may later develop.
- K. Witness Systems objects to each and every interrogatory to the extent that it is a premature because discovery is still in its very early stages and the claims of the patents-in-suit have yet to be construed. Witness Systems is still formulating its contentions regarding the claims and defenses of the parties and specifically reserves the right to supplement theses responses as its investigation continues.
- L. Witness Systems objects to these Interrogatories to the extent that, including subparts, they exceed the maximum number of interrogatories allowed in this action.
- M. Witness Systems' responses to each Interrogatory are made without in any way waiving: (a) the right to object, on the grounds of competency, relevancy, materiality, privilege or admissibility as evidence for any purpose in any subsequent proceeding in this case; and (b) the right to object on any ground to any other.

  Interrogatories involving or relating to the subject matter of these Interrogatories.

# SPECIFIC OBJECTIONS AND RESPONSES

Subject to the foregoing General Objections, each of which is incorporated by reference below in each separate response, Witness Systems responds to the Interrogatories as follows:

## PURPORTED INTERROGATORY NO. 1(a),

On a claim-by-claim basis and for each claim element, state whether you contend that NICE's response to Witness' Interrogatory No. 13 set forth in Exhibit A to that document does not demonstrate infringement of the Accused Products. For each claim element that you contend NICE has not demonstrated infringement by each Accused Product, on a claim-by-claim basis in a chart, describe in detail the factual and legal bases as to why the specific infringement contention identified in NICE's response to Witness' Interrogatory No. 13 set forth in Exhibit A to that document does not demonstrate infringement of the Accused Products.

## RESPONSE TO PURPORTED INTERROGATORY NO. 1(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous. because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems again requests that NICE clarify what products and which versions it accuses infringe. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent that it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Exhibit A. Witness Systems reserves its right to amend and/or supplement this response

as discovery and Witness Systems' investigations continue and after any claim construction ruling.

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# PURPORTED INTERROGATORY NO. 2(a):

On a claim-by-claim basis in a chart, for each prior art reference identified by Witness in response to NICE's Interrogatory No. 2, identify the disclosure in each prior art reference of each limitation of the Asserted Claims in the respective Patent-in-Suit. To the extent that Witness asserts the prior art references support its invalidity defense under 35 U.S.C. § 103, it must further identify any prior art combinations and the motivation to combine those references.

# RESPONSE TO PURPORTED INTERROGATORY NO. 2(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Exhibit B, which identifies representative, invalidating prior art. Numerous other prior art references also contain the identified disclosures. Witness Systems reserves its right to amend and/or supplement this response as discovery and Witness Systems' investigation continue, and after any claim construction ruling. Witness Systems

specifically reserves the right to supplement and/or amend its response in light of materials that it is currently seeking from Blue Cross Blue Shield.

#### **INTERROGATORY NO. 10:**

For each Accused Product, identify any other Witness products that perform either the identical or substantially the same function.

# **RESPONSE TO INTERROGATORY NO. 10:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it calls for identification of "products that perform either the identical or substantially the same function" as the Accused Products, including to the extent that NICE has failed to identify any specific "function" or explain what is meant by "function" as used in this Interrogatory. Witness Systems again requests that NICE clarify what products and which versions it claims infringe. Subject to and without waiving the foregoing objections, Witness Systems states it has produced source code and technical documents sufficient for NICE to understand the operation of Witness Systems' products and specify those products and versions NICE claims infringe.

#### **INTERROGATORY NO. 11:**

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Identify each version of each Accused Product and/or each product identified in response to Interrogatory No. 10, above, that Witness has developed, marketed, made, sold, used, or offered for sale. Trace each version back to the first product in its progeny in the form of a chart listing the date of development, marketing, use, sale or offer for sale for each such product.

# **RESPONSE TO INTERROGATORY NO. 11:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Subject to and without waiving the foregoing objections, Witness Systems states it has produced source code to NICE on two laptops in directory tree structure from which each version of each potentially relevant Witness Systems product can be identified. Witness Systems will produce financial information on mutually agreed terms from which information about the date of general availability can be determined.

# **INTERROGATORY NO. 12:**

In the areas of (a) product management, (b) product development, (c) sales, (d) marketing, (e) product function and (f) product operation, (g) manufacture, and (h) distribution, identify the three most knowledgeable employees (either current or former) in each area for each Accused Product and/or products identified in response to Interrogatory No. 10, above.

# **RESPONSE TO INTERROGATORY NO. 12:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests

that NICE specify Witness Systems products and versions it claims infringe. Witness Systems also objects to this Interrogatory as being vague and ambiguous, including because NICE has failed to distinctly point out what is meant by "(c) sales, (d) marketing, (e) product function and (f) product operation, (g) manufacture, and (h) distribution" and how these subcategories differ from each other. Witness Systems further objects to this Interrogatory to the extent it purports to be a single Interrogatory. Each delineated subpart of this Interrogatory counts as a separate Interrogatory. Subject to and without waiving the foregoing objections, Witness Systems identifies the following: Sales and marketing: Ms. Nancy Treaster; Engineering: Mr. Dan Sphorer; and Product Management: Mr. Robert Barnes.

# **INTERROGATORY NO. 13:**

For each Accused Product, and/or the products identified in response to Interrogatory No. 10, above, identify each and every customer to whom you have sold or otherwise provided a system incorporating the particular product.

## RESPONSE TO INTERROGATORY NO. 13:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent that it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Witness Systems further objects to this Interrogatory as being overly broad and unduly burdensome. Witness Systems further objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Subject to and without waiving the

foregoing objections, Witness Systems states it will produce financial information on mutually agreed terms from which information requested by this Interrogatory can be determined.

# **INTERROGATORY NO. 14:**

Identify the dates and circumstances when Witness first became aware of each of the Patents-in-Sult, and describe the action taken, if any, by Witness as a result of becoming aware of each patent.

# **RESPONSE TO INTERROGATORY NO. 14:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent 2it seeks information protected from disclosure by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Subject to and without waiving the foregoing objections, Witness Systems states it was aware of the existence of the following patents as early as October 2004: the '738 Patent, the '005 Patent, the '345 Patent, the '372 Patent, and the '370 Patent. Witness Systems, however, was not aware of any allegations of infringement against any Witness Systems' products based on any of the Patents-in-Suit until receiving the Complaint in this action.

#### INTERROGATORY NO. 15:

Identify all products developed, made, sold or offered for sale that fall within the scope of and/or integrated with Impact 360 by providing a chart identifying each product, including the date of development, manufacture, sale or offer for sale for each such product.

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous with respect to the phrase "fall within the scope of and/or integrated." Witness Systems further objects to this Interrogatory as being overly broad and unduly burdensome, including to the extent that it seeks "the date of development, manufacture, sale or offer for sale for each such product." Subject to and without waiving the foregoing objections, Witness Systems attaches Exhibit C in response. Witness Systems will produce financial information on mutually agreed terms from which information about dates can be determined.

# **INTERROGATORY NO. 16:**

Identify each license you have given or taken for patents that cover quality monitoring, compliance and/or IP recording, workforce management, performance management, and e-learning software, including without limitation, the royalty rate for each license.

#### **RESPONSE TO INTERROGATORY NO. 16:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems further objects to this Interrogatory as being neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case to the extent it seeks information concerning "workforce management" software. Subject to and without waiving the foregoing objections, Witness Systems states it is unaware of any such licenses. Witness notes, however, that it has entered into agreements with manufacturers and others to manufacture and/or offer for sale and sell Witness Systems' products or aspects thereof. Witness Systems has produced these agreements.

# **INTERROGATORY NO. 17:**

Identify on a quarterly basis, from March 30, 2000 to present, the unit sales, revenues, profits, and costs (direct and indirect) for each version of each Accused Produce and/or each product identified in response to Interrogatory No. 10, including the unite sales, revenues, profits and costs for each version of each component associated with each identified products and/or product suite. Include in your response revenue, profit and costs associated with the maintenance and service of each product.

# RESPONSE TO INTERROGATORY NO. 17:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Witness Systems further objects to this Interrogatory as being overly broad and unduly burdensome. Witness Systems further objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Subject to and without waiving the foregoing objections, Witness Systems will produce financial information on mutually agreed terms from which information about the date of general availability can be determined.

# **INTERROGATORY NO. 18:**

Identify the three people within Witness or any of its subsidiaries or affiliated companies who are most knowledgeable about each Interrogatory Nos. 14-17.

# **RESPONSE TO INTERROGATORY NO. 18:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also incorporates its objections to Interrogatories Nos. 14-17 as if fully stated herein. Witness Systems also objects to this Interrogatory as being vague and ambiguous, including with respect to the phrase "affiliated companies." Subject to and without waiving the foregoing objections, Witness Systems identifies the following persons as having knowledge: Interrogatory No. 14: Mr. Joe Watson; Interrogatory No. 15: Ms. Nancy Treaster and Mr. Dan Sphorer; and Interrogatory No. 17: Ms. Nancy Treaster.

# **INTERROGATORY NO. 19:**

For each Accused Product and/or products identified in response to Interrogatory No. 10, above, identify all products that you contend compete or have competed with the respective Accused Product and/or products identified in response to Interrogatory No. 10 since the first sale of that Product.

# **RESPONSE INTERROGATORY NO. 19:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Witness Systems further objects to this Interrogatory to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence

in this case, including to the extent that it seeks information only relevant to Witness Systems' antitrust counterclaims before such claims are amended into this action. Subject to and without waiving the foregoing objections, Witness Systems states that discovery in this case is ongoing, depositions have yet to begin, and Witness Systems' antitrust counterclaims have not yet been added to the case. Thus, Witness Systems reserves the right to supplement this response, including by identifying products at the appropriate time.

# **INTERROGATORY NO. 20:**

For each Accused Product and/or products identified in response to Interrogatory No. 10, above, identify all third party software or hardware that is or was used by, or is or was a component or part of the Accused Product and/or products identified in response to Interrogatory No. 10, including identifying the name of the software and/or hardware vendor and price of the third party software or hardware.

# **RESPONSE INTERROGATORY NO. 20:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Witness Systems further objects to this Interrogatory to the extent that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Subject to and without waiving the foregoing objections, Witness Systems

states it has entered into agreements with manufacturers and others concerning aspects of Witness Systems' products or aspects thereof. These agreements, which Witness believes have been produced, are between Witness Systems and each of the following parties: Adtech, ACW, Funk, Avaya, and Nortel.

# **INTERROGATORY NO. 21:**

Identify each and every factual and/or legal basis for Witness' contention that NICE is not entitled to injunctive relief in this litigation, including why Witness claims monetary damages are adequate to compensate NICE for its harm, how Witness claims the balance of hardships favors Witness, and how the public interest would not be served by a permanent injunction, if Witness so contends.

## RESPONSE TO INTERROGATORY NO. 21:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing. Witness Systems further objects to this Interrogatory to the extent it calls for legal conclusions and/or to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems states that NICE bears the burden to prove any right to injunctive relief, and that NICE has not produced evidence sufficient to establish such a right. Witness Systems reserves the right to supplement this response if NICE comes forward with evidence concerning its claim for injunctive relief.

#### **INTERROGATORY NO. 22:**

Identify the corporate officers and directors for Witness from 1991 to present, including providing names, positions, addresses, titles, duties, and tenures.

# **RESPONSE TO INTERROGATORY NO. 22:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as being duplicative of previously served interrogatories. Witness Systems also objects to this Interrogatory to the extent it seeks information neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Subject to and without waiving the foregoing objections, Witness Systems has or will produced documents, such as Annual Reports or other public disclosures, from which relevant information responsive to this Interrogatory may be ascertained and the burden of deriving or ascertaining the answer is substantially the same for NICE as for Witness Systems, in accordance with Federal Rule of Civil Procedure 33(d).

# **INTERROGATORY NO. 23:**

To the extent that you deny NICE's first and second requests for admission, explain each and every factual and legal basis for your denial.

# **RESPONSE TO INTERROGATORY NO. 23:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Subject to and without waiving the foregoing objections, Witness Systems states it may have in its possession, custody, or control third party documents for which it does not possess sufficient information to admit the requests. Thus, Witness Systems denies that these documents necessarily are what they purport to be or are authentic.

# **INTERROGATORY NO. 24:**

Identify the steps taken by Witness in responding to any of the document requests served by NICE in this litigation, including the identification of the addresses of all locations searched, all electronic media searched, what types of documents were found at each searched location, each person from whom documents were sought, and what additional steps were taken, if any.

# **RESPONSE TO INTERROGATORY NO. 24:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege and/or work product doctrine. Witness Systems further objects to the extent that this Interrogatory seeks information neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Witness Systems further objects to this Interrogatory to the extent that it is overly broad and unduly burdensome. Subject to and without waiving the foregoing objections, Witness Systems states it searched its electronic repositories of documents including its knowledge base at its Atlanta, GA location and its relevant servers located in Leatherhead, U.K. Witness Systems also searched relevant source code control systems located at these facilities for electronic versions of the source code. Witness Systems also searched non-duplicative hard copy files, including at its Leatherhead, U.K. facility. Witness Systems coordinated its search activities through Witness Systems' personnel, including Mr. David Williams, Ms. Nancy Treaster, and Mr. David Boardman.

# **INTERROGATORY NO. 25:**

Identify all versions of source code that were made available in the U.S. for any of the Accused Products and/or products identified in response to Interrogatory No. 10, above, including the name of each source code version, the locations of each source code version, any additional information necessary to locate each source code version, and to whom each source code was made available and when.

# RESPONSE TO INTERROGATORY NO. 25:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Witness Systems further objects to the extent that this Interrogatory seeks information neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case. Witness Systems objects to this Interrogatory as being overly broad and unduly burdensome, including to the extent that its seeks information concerning "to whom each source code was made available and when." Subject to and without waiving the foregoing objections, Witness Systems states it has produced source code to NICE on two laptops in directory tree structure from which each version of each potentially relevant Witness Systems product can be identified. Witness Systems will produce financial information on mutually agreed terms from which information about the date and to whom can be determined.

# **INTERROGATORY NO. 26:**

Identify what Witness contends is the market share of each competitor for the market you identified in response to Interrogatory No. 19.

## RESPONSE TO INTERROGATORY NO. 26:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as being vague, ambiguous, and non-sensical because it improperly references a "market you identified in response to Interrogatory No. 19" while Interrogatory 19 does not concern a "market." Witness Systems further objects to this Interrogatory to the extent that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case, including to the extent that it seeks information only relevant to Witness Systems' antitrust counterclaims before such claims are amended into this action. Witness Systems further objects to this Interrogatory to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems states that discovery is ongoing, depositions have yet to begin, and Witness Systems' antitrust counterclaims have not yet been added to this case. Thus, Witness Systems reserves its right to supplement this response, including by identifying market share and competitors at the appropriate time.

# **INTERROGATORY NO. 27:**

Identify any acceptable or unacceptable substitutes in the United States for the Accused Products and/or other call center products, whether infringing any of the Patents-in-Suit or not, from the filing dates of the Patents-in-Suit to the present.

#### <u>RESPONSE TO INTERROGATORY NO. 27:</u>

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product."

Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it includes "products that perform either the identical or substantially the same function" as the Accused Products based on Interrogatory No. 10. Witness Systems again requests that NICE specify Witness Systems products and versions it claims infringe. Witness Systems further objects to this Interrogatory to the extent that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case, including to the extent that it seeks information only relevant to Witness Systems' antitrust counterclaims before such claims are amended into this action.

Witness Systems further objects to this Interrogatory to the extent that it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems states that discovery is ongoing, depositions have yet to begin, and Witness Systems' antitrust counterclaims have not yet been added to this case. Thus, Witness Systems reserves its right to supplement this response, including by identifying substitutes at the appropriate time.

#### **INTERROGATORY NO. 28:**

Identify any likely new entrants into the creation, development, production, distribution or sale of any call center products if prices were raised 5% and/or 10% and sustained, including any relevant requirements, such as costs and scale requirements, for entry.

#### **RESPONSE TO INTERROGATORY NO. 28:**

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems further objects to this Interrogatory to the extent that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this case, including to the extent that it seeks information only relevant to Witness Systems' antitrust counterclaims before such claims

are amended into this action. Witness Systems further objects to this Interrogatory to the extent that it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems states that discovery is ongoing, depositions have yet to begin, and that Witness Systems' antitrust counterclaims have not yet been added to this case. Thus, Witness Systems reserves its right to supplement this response, including by identifying entrants at the appropriate time.

DATED: March 2, 2007

FISH & RICHARDSON P.C.

William J. Marsden, Jr. (#2247) Kyle Wagner Compton (#4693)

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ATTORNEYS FOR DEFENDANT WITNESS SYSTEMS, INC.

# CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2007, I caused to be served "DEFENDANT

WITNESS SYSTEMS' RESPONSES AND OBJECTIONS TO PLAINTIFF'S NICE

SYSTEMS, INC.'S AND NICE SYSTEMS LTD.'S SECOND SET OF

INTERROGATORIES" by electronic and First Class U.S. Mail addressed to counsel for

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EXHIBIT A

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5,274,738 Claims	Accused Product(s)
1. A digital modular voice processing system	NICE lists the following "Accused Products"
comprising:	for the '738 Patent:
	1) Eyretel ContactStore
	2) Eyretel MediaStore
·	3) Eyretel Contact 7000
,	4) eQuality Contact Store
	5) ContactStore
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
a) a host computer having a host processor, and a storage medium, a memory and a bus interface in communication with said host processor,	NICE cites to Documents 1, 2, and 3 for this claim limitation.
b) a first bus in communication with said bus interface,	NICE cites to Documents 1, 2, and 3 for this claim limitation.
c) a voice processing card having at least one digital signal processor and at least one application processor in communication with	NICE cites to Documents 1, 2, 3, and 4 for this claim limitation.
said at least one digital signal processor, a first interface providing communication between said at least one application processor and said first bus, and a first time division multiplexer chip in communication	The cited portions of Documents 1, 2, 3, and 4 fail to show the claimed "a first time division multiplexer chip in communication with the at least one digital signal processor."
with said at least one digital signal processor,	The cited portions of Documents 1, 2, 3, and 4 fail to show the claimed "a voice processing card having at least one digital signal processor and at least one application processor."

5,274,738 Claims	Accused Product(s)
d) a second bus in communication with said first time division multiplexer chip, and	NICE cites to Documents 1, 2, and 3 for this claim limitation.
	The cited portions of Documents 1, 2, and 3 fail to show the claimed "a second bus in communication with said first time division multiplexer chip."
e) at least one audio card including a second time division multiplexer chip that communicates with said second bus, an audio	NICE cites to Documents 1, 2, 3, 4 and 5 for this claim limitation.
processor in communication with said second firme division multiplexer chip, and a second interface in communication with said audio processor, said second interface having a plurality of ports that provide communication	The cited portions of Documents 1, 2, 3, 4, and 5 fail to show the claimed "at least one audio card including a second time division multiplexer chip."
with communication lines.	The cited portions of Documents 1, 2, 3, 4, and 5 fail to show the claimed "at least one audio card including a second time division multiplexer chip that communicates with said second bus."
4. The system of claim 1 wherein said second interface of said audio card has means for converting analogue signals received from said ports to digital signals and converting digital data received data [sic] received from said audio processor to analog signals.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 4 for this claim limitation.

5,274,738 Claims	Accused Product(s)
5. The system of claim 4 wherein said signal processor has means for performing voice compression and expansion, automatic gain control, dual tone multi-frequency extraction and voice activated operations.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claims 1 and 4, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 4 for this claim limitation.  The cited portions of Documents 1 and 4 fail to show the claimed "means for performing voice compression and expansion, automatic gain control, dual tone multi-frequency extraction and voice activated operations."
7. The system of claim 1 including a housing, said host computer, said first bus, said at least one voice processing card, said second bus, and said at least one audio card being supported by said housing and said at least one voice processing card and said at least one audio card are physically and electrically connected, and said host computer is logically connected to said voice processing card and to said at least one audio card.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1, 3, and 4 for this claim limitation.  The cited portions of Documents 1 and 4 fail to show the claimed "said at least one voice processing card."

E 274 720 Claims	Accused Product(s)
5,274,738 Claims	NICE lists the following "Accused Products"
8. A digital modular voice processing system	for the '738 Patent:
comprising:	
	1) Eyretel ContactStore
	2) Eyretel MediaStore
	3) Eyretel Contact 7000
	4) eQuality Contact Store
	5) ContactStore.
	NICE has failed, however, to specify particular
'	products and versions of the "Accused
	Products" sufficient for Witness Systems to
	identify the particular products accused of
	infringement. NICE has also failed to present
	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
	infringement of each version of each Accused
	Product. Witness responds below to the
·	infringement contentions set forth in NICE's
•	response to Witness' Interrogatory No. 13, on a
	claim-by-claim and element-by-element basis.
.]	
a) an interface for receiving analogue voice	NICE cites to Documents 1 and 4 for this claim
signals from a telephone line and converting	limitation.
said analogue voice signals to digital voice	
data,	
b) an audio processor in communication with	NICE cites to Documents 1 and 4 for this claim
interface,	limitation.
)	NICE cites to Documents 1 and 4 for this claim
c) first time division multiplexing means in	limitation.
communication with said audio processor for receiving and multiplexing said digital voice	nantation.
data and acting as temporary storage for data,	The cited portions of Documents 1 and 4 fail to
data and acting as comporary storage to datas,	show the claimed "first time division
	multiplexing means in communication with said
4	audio processor."
d) a bus in communication with said first time	NICE cites to Documents 1 and 3 for this claim
division multiplexing means for receiving	limitation.
digital voice data therefrom,	
e) second time division multiplexing means in	
communication with said bus for multiplexing	limitation.
digital voice data received from said bus,	1

f) voice data processing means in communication with said second time division multiplexing means for receiving multiplexed digital voice data and performing digital processing operations on the multiplexed digital voice data,  NICE cites to Docume claim limitation.  The cited portions of I to show the claimed "means".	· •
communication with said second time division multiplexing means for receiving multiplexed digital voice data and performing digital processing operations on the multiplexed digital voice data,  The cited portions of I to show the claimed "means".	Documents 1, 2, and 4 fail voice data processing
multiplexing means for receiving multiplexed digital voice data and performing digital processing operations on the multiplexed digital voice data,  The cited portions of I means".	voice data processing
digital voice data and performing digital processing operations on the multiplexed digital voice data,  The cited portions of I to show the claimed "means".  The cited portions of I	voice data processing
The cited portions of I	Documents 1, 2, and 4 fail
means in communication division multiplexing multiplexed digital vo	voice data processing ion with said second time
g) application processing means in communication with said voice data claim limitation.  processing means for performing application	ents 1, 2, and 4 for this
processing on the processed digital voice data The cited portions of I received from said voice data processing to show the claimed "a	Documents 1, 2, and 4 fail application processing ion with said voice data
h) a host computer in communication with said application processing means for receiving and storing application processed	ents 1 and 3 for this claim
digital voice data.  The cited portions of I show the claimed "a h	Documents 1 and 3 fail to lost computer in laid application processing
computer is in logical communication with said audio processor.  by-claim and element-sufficient to establish it	infringement of claim 8, depends either directly or ly, NICE has failed to
NICE cites to Docume limitation.	ents 1 and 4 for this claim

5,274,738 Claims	Accused Product(s)
10. The system of claim 8 wherein said voice data processing means performs voice compression and expansion; automatic gain control, extracts dual tone multi-frequency extraction and voice activated operations.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 8, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 4 for this claim limitation.
	The cited portions of Documents 1 and 4 fail to show the claimed "means for performing voice compression and expansion, automatic gain control, dual tone multi-frequency extraction and voice activated operations."

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Document2 2

5,396,371 Claims	Accused Product(s)
1. In a method of storing and retrieving audio	NICE lists the following "Accused Products"
from a digital audio logger, the steps	for the '371 Patent:
comprising:	1) Eyretel ContactStore
· ·	2) Eyretel MediaStore
	3) Eyretel Contact 7000
	4) eQuality ContactStore
,	5) ContactStore
	6) Witness ContactStore for Communication
	Manager
•	7) Witness Quality for Communication
	Manager
	8) Impact 360
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
monitoring an audio source,	NICE cites to Documents 1, 5, 6, 7, and 9 for this claim limitation.
storing audio data from the audio source in a buffer,	NICE cites to Documents 1, 5, and 7 for this claim limitation.
	The cited portions of Documents 1, 5 and 7 fail to show the claimed "storing audio data from the audio source in a buffer."
writing the audio data from the buffer onto a	NICE cites to Documents 1, 5, 7, and 8 for this
digital audio tape and a random access storage	claim limitation.
device, and	The cited portions of Documents 1, 5, 7, and 8 fail to show the claimed "writing the audio data from the buffer onto a digital audio tape and a random access storage device."

Accused Product(s)
NICE cites to Documents 1, 5, 7, and 9 for this claim limitation.
The cited portions of Documents 1, 5, 7, and 9 fail to show the claimed "retrieving audio from the random access storage device while audio data is written into the digital audio tape and the random access storage device."
NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
NICE cites to Documents 5 and 10 for this claim limitation.
The cited portions of Documents 5 and 10 fail to show the claimed "providing the random storage device with a primary partition and writing voice data onto the primary partition in time defined manner."

5,396,371 Claims	Accused Product(s)
5. In a system for processing audio having an	NICE lists the following "Accused Products"
interface for receiving audio from an audio	for the '371 Patent:
source, a digital signal processor in	1) Eyretel ContactStore
communication with the interface for	2) Eyretel MediaStore
compressing the audio signals, a controller in	3) Eyretel Contact 7000
communication with the digital signal	4) eQuality ContactStore
processor for receiving audio therefrom and	5) ContactStore
arranging data in a prescribed order, a	6) Witness ContactStore for Communication
supervisor in communication with said	Manager
controller accessing data from said system,	7) Witness Quality for Communication
and a buffer in communication with the	Manager
controller for receiving arranged audio from	8) Impact 360
the controller, the improvement comprising:	
· ·	NICE has failed, however, to specify particular
	products and versions of the "Accused
·	Products" sufficient for Witness Systems to
·	identify the particular products accused of
	infringement. NICE has also failed to present
·	evidence on a claim-by-claim and element-by- element basis sufficient to establish
	infringement of each version of each Accused
	Product. Witness responds below to the
	infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
	claim-by-claim and element-by-element basis.
	Claum-by-oranic and cromess-by-oroness sassi
distal and a topo drive unit in	NICE cites to Documents 1, 4, and 8 for this
a digital audio tape drive unit in communication with the buffer for receiving	claim limitation.
arranged audio data from the buffer,	VIMAIL AMAZONA
arranged addio data from the burier,	The cited portions of Documents 1, 4, and 8 fail
. †	to show the claimed "a digital audio tape drive
	unit in communication with the buffer for
	receiving arranged audio data from the buffer."
a random access storage device, and	NICE cites to Documents 1, 4, and 5 for this
	claim limitation.
	The cited portions of Documents 1, 4, and 5 fail
	to show the claimed "random access storage
	device."
· .	

between said buffer and random storage device, the first of said pointers operative for transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access	ns of Documents 1 and 11 fail med "a pair of pointers nunication between said buffer age device."
between said buffer and random storage device, the first of said pointers operative for transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.  claim limitation.  The cited portion	ns of Documents 1 and 11 fail med "a pair of pointers nunication between said buffer age device."
the first of said pointers operative for transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.  The cited portion to show the claim providing comm and random storage device to said controller.	med "a pair of pointers nunication between said buffer age device."
transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.  to show the claim providing comm and random storage device to said controller.	med "a pair of pointers nunication between said buffer age device."
storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.  The cited portion	nunication between said buffer age device."
second of said pointers being operative to send audio data from said random access storage device to said controller.  The cited portion	rage device."
send audio data from said random access storage device to said controller.  The cited portion	_
storage device to said controller. The cited portion	
	are at 13 acres and a lamil 17 foil
) to snow the clair	ns of Documents 1 and 11 fail
	to send audio data from said
	storage device to said
controller."	MOTHER COLIDE IO SUIT
conducted.	
6. The system of claim 5 further including a NICE has failed	to present evidence on a claim-
	ement-by-element basis
	ablish infringement of claim 5,
access storage device. from which the	claim depends either directly or
indirectly. Acco	ordingly, NICE has failed to
show infringement	ent of this claim.
	Secretary Products 1.5 m
	Occument 1 for this claim
limitation.	
The cited portion	ons of Document 1 fail to show
	speaker in communication with
said controller f	for playing audio retrieved from
	cess storage device."
	following "Accused Products"
for the '371 Pat	
1) ContactStore	
	tactStore for Communication
Manager	
	ality for Communication
Manager 4) Impact 360	
4) impact 500 5) eQuality Bal	lance R5
6) eQuality Bal	
	ntactStore for IP
// eQuality Con	munucore and al

#### 5,396,371 Claims

a random access storage device having a primary partition for storing audio data and a secondary partition for storing means for locating data on said primary partition and a pair of pointers in communication with said random access memory, a first of said pointers being operated to transmit data to said random access storage device and the second of said pointers being operative to retrieve audio data from said random access storage device.

#### Accused Product(s)

NICE cites to Documents 1, 5, and 10 for this claim limitation.

The cited portions of Documents 1, 5, and 10 fail to show the claimed "a random access storage device having a primary partition for storing audio data and a secondary partition for storing means for locating data on said primary partition."

The cited portions of Documents 1, 5, and 10 fail to show the claimed "a pair of pointers in communication with said random access memory."

The cited portions of Documents 1, 5, and 10 fail to show the claimed "a first of said pointers being operated to transmit data to said random access storage device and the second of said pointers being operative to retrieve audio data from said random access storage device."

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Document2 3

5,819,005 Claims	Accused Product(s)
1. A modular digital recording logger,	NICE lists the following "Accused Products"
comprising:	for the '005 Patent:
	1) Byretel ContactStore
	2) Eyretel MediaStore
	3) Eyretel Contact 7000
•	4) eQuality Contact Store
	5) ContactStore.
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
a housing;	NICE cites to Documents 1, 2, and 3 for this claim limitation.
at least two circuit modules in said housing for converting analog voice signals to digital voice signals, each of said circuit modules	NICE cites to Documents 1, 2, 12, and 13 for this claim limitation.
including at least two terminals for receiving said analog voice signals, each of said terminals being capable of receiving said analog voice signals for recording a two-way conversation;	The cited portions of Documents 12 and 13 fail to show the claimed "at least two circuit modules in said housing for converting analog voice signals to digital voice signals."  The cited portions of Documents 12 and 13 fail to show the claimed "each of said terminals being capable of receiving said analog voice signals for recording a two-way conversation."
a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data;	NICE cites to Documents 1, 2, and 4 for this claim limitation.

5,819,005 Claims	Accused Product(s)
a first bus in said housing for providing communication between said circuit module and said compressing circuit;	NICE cites to Documents 1, 2, and 4 for this claim limitation.
a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus; and	NICE cites to Documents 1, 2, 3, and 4 for this claim limitation.  The cited portions of Documents 1, 2, 3, and 4 fail to show the claimed "a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus."
a digital audio tape (DAT) drive for storing said compressed voice data.	NICE cites to Documents 1, 2, 4, 8, and 10 for this claim limitation.
2. The modular digital recording logger of claim 1, further including a clock in communication with said computer.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1, 12, and 15 for this claim limitation.  The cited portions of Documents 1, 12, and 15 fail to show the claimed "a clock in communication with said computer".
3. The modular digital recording logger of claim 1, further including a speaker in communication with at least one circuit module.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.
	The cited portions of Documents 1 and 9 fail to show the claimed "a speaker in communication with at least one circuit module."

Document 365

ſ	5,819,005 Claims	Accused Product(s)
	4. The modular digital recording logger of claim 1, further comprising a hard disk drive in said housing for storing and reproducing said compressed voice data.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1, 9, and 32 for this claim limitation.
	5. The modular digital recording logger of claim 4, further comprising: a computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals; and	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.
		The cited portions of Documents 1 and 9 fail to show the claimed "a computer in said housing for operating said DAT drive and/or said hard disk drive."
	a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive.	NICE cites to Document 1 for this claim limitation.
		The cited portions of Document 1 fails to show the claimed "second bus in said housing for connecting said computer to said hard disk drive and said DAT drive."

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5,819,005 Claims	Accused Product(s)
6. The modular digital recording logger of	NICE has failed to present evidence on a claim-
claim 1, wherein said first bus is a time	by-claim and element-by-element basis
division multiplexing (TDM) bus and said	sufficient to establish infringement of claim 1,
multiplexer circuit is a time division	from which the claim depends either directly or
multiplexer circuit.	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Documents 1, 2, and 3 for this claim limitation.
	The cited portions of Documents 1, 2, and 3 fail to show the claimed "first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit."
7. The modular digital recording logger of claim 1, wherein said second bus is a small computer system interface (SCSI) bus and further comprising a SCSI adapter for connecting said computer to said SCSI bus.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or
connecting said computer to said aciss ous.	indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 12 for this claim limitation.
	The cited portions of Documents 1 and 12 fail to show the claimed "said second bus is a small computer system interface (SCSI) bus and further comprising a SCSI adapter for connecting said computer to said SCSI bus."
8. The modular digital recording logger of	NICE has failed to present evidence on a claim-
claim I, wherein said compressing circuit is a processor.	by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 2 for this claim limitation.
	The cited portions of Documents 1 and 2 fail to show the claimed "wherein said compressing circuit is a processor."
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5,819,005 Claims	Accused Product(s)
10. The modular digital recording logger of claim 7, further including a random access memory (RAM) for storing said compressed voice data before it is transmitted to the SCSI	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claims 1 and 7, from which the claim depends either
adapter.	directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 16 for this claim limitation.
	The cited portions of Documents 1 and 16 fail to show the claimed "including a random access memory (RAM) for storing said compressed voice data before it is transmitted to the SCSI adapter."
11. A network system of modular digital	NICE lists the following "Accused Products"
recording loggers, comprising:	for the '005 Patent:
	1) Eyretel ContactStore
	2) Eyretel MediaStore
·	3) Eyretel Contact 7000 4) eQuality Contact Store
	5) ContactStore.
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-
	element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the
	infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
at least two digital recording loggers for logging voice conversations, each of said recording loggers comprising:	NICE cites to Document 1 for this claim limitation.
a housing;	NICE cites to Documents 1, 2, and 3 for this claim limitation.

5,819,005 Claims	Accused Product(s)
a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit modules including at least two	NICE cites to Documents 1, 2, 12, and 13 for this claim limitation.
terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation,	The cited portions of Documents 12 and 13 fail to show the claimed "at least two terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation."
a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data,	NICE cites to Documents 1, 2, and 4 for this claim limitation.
a first bus in said housing for providing communication between said circuit module and said compressing circuit,	NICE cites to Documents 1, 2, and 4 for this claim limitation.  The cited portions of Documents 1, 2 and 4 fail to show the claimed "a first bus in said housing for providing communication between said circuit module and said compressing circuit."
a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein	NICE cites to Documents 1, 2, 3, and 4 for this claim limitation.
said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus,	The cited portions of Documents 1, 2, 3, and 4 fail to show the claimed "a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus."
a digital audio tape (DAT) drive for storing said compressed voice data,	NICE cites to Documents 1, 4, 8, and 10 for this claim limitation.
a hard disk drive in said housing for storing and reproducing said compressed voice data,	NICE cites to Documents 1, 9, and 32 for this claim limitation.

5,819,005 Claims	Accused Product(s)
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals,	NICE cites to Document 1 for this claim limitation.
and	The cited portions of Document 1 fails to show the claimed "a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals."
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	NICE cites to Document 1 for this claim limitation.
DAT drive,	The cited portions of Document 1 fails to show the claimed "a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive."
a second computer for processing compressed digital voice signals received from each of said recording loggers; and	NICE cites to Document 1 for this claim limitation.
a third bus connecting each of said recording loggers to said second computer.	NICE cites to Document 1 for this claim limitation.
	The cited portions of Document 1 fail to show the claimed "a third bus connecting each of said recording loggers to said second computer."
12. The network system of claim 11, further comprising a clock in communication with said first computer.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 11, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	The cited portions of Documents 1, 12, and 15 fail to show the claimed "a clock in communication with said first computer".

5,819,005 Claims	Accused Product(s)
13. The network system of claim 11, wherein said third bus is a local area network (LAN) bus.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 11, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 1 for this claim limitation.
14. The network system of claim 13, wherein said second computer and each of said recording loggers further include a LAN adapter for providing connection to said LAN bus.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claims 11 and 13, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 1 for this claim limitation.  The cited portions of Document 1 fails to show
	the claimed "each of said recording loggers further include a LAN adapter for providing connection to said LAN bus".
15. The network system of claim 11, wherein said first bus is a time division multiplexed (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 11, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 2 for this claim limitation.
	The cited portions of Documents 1 and 2 fail to show the claimed "first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit."

6 010 005 OLIVA	Accused Product(s)
5,819,005 Claims 16. The network system of claim 11, wherein	NICE has failed to present evidence on a claim-
said second bus is a small computer system	by-claim and element-by-element basis
interface (SCSI) bus and further comprising a	sufficient to establish infringement of claim 11,
SCSI adapter for connecting said first	from which the claim depends either directly or
computer to said SCSI bus.	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
·	NICE cites to Documents 1 and 12 for this
•	claim limitation.
	The cited portions of Documents 1 and 12 fail
	to show the claimed "said second bus is a small
	computer system interface (SCSI) bus and
	further comprising a SCSI adapter for
,	connecting said computer to said SCSI bus."
17. The network system of claim 16, further	NICE has failed to present evidence on a claim-
comprising a random access memory (RAM)	by-claim and element-by-element basis
for storing said compressed voice data before	sufficient to establish infringement of claims 11
it is transmitted to the SCSI adapter.	and 16, from which the claim depends either
	directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	Tation to show hithingoment of dus commit
	NICE cites to Documents 1 and 16 for this
	claim limitation.
	The cited portions of Documents 1 and 16 fail
,	to show the claimed "a random access memory
	(RAM) for storing said compressed voice data
	before it is transmitted to the SCSI adapter."
18. The network system of claim 11, wherein	NICE has failed to present evidence on a claim-
said compressing circuit is a processor.	by-claim and element-by-element basis
	sufficient to establish infringement of claim 11,
	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Documents 1 and 2 for this claim
	limitation.
	The cited portions of Documents 1 and 2 fail to
	show the claimed "wherein said compressing
1	circuit is a processor."

5,819,005 Claims	Accused Product(s)
20. The network system of claim 11, wherein said second computer is a workstation.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 11, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 1 for this claim limitation.
21. The network system of claim 11, further comprising a speaker in communication with said second computer for reproducing said analog voice signals.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 11, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.
22. A method of manufacturing a modular digital recording logger, comprising the steps of:	NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel ContactStore 2) Eyretel MediaStore 3) Eyretel Contact 7000 4) eQuality Contact Store 5) ContactStore.
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.

5,819,005 Claims	Accused Product(s)
selecting a number of circuit modules for	NICE cites to Documents 1, 2, 12, and 13 for
converting analog voice signals to and from	this claim limitation.
digital voice signals, each of said circuit	
modules including at least two terminals for	The cited portions of Documents 1, 2, 12 and 13
receiving said analog voice signals, and	fail to show the claimed "selecting a number of
wherein each of said terminals is capable of	circuit modules for converting analog voice
receiving said analog voice signals for	signals to and from digital voice signals."
recording a two-way conversation;	The cited portions of Documents 1, 2, 12 and 13
	fail to show the claimed "wherein each of said
	terminals is capable of receiving said analog
	voice signals for recording a two-way
·   ·	conversation."
installing said selected number of said circuit	NICE cites to Documents 1, 2, and 3 for this
modules in a housing;	claim limitation.
installing a circuit in said housing for	NICE cites to Documents 1, 2, and 4 for this
compressing said digital voice signals	claim limitation.
received from each of said circuit modules to	
provide compressed voice data;	
installing a first bus in said housing for	NICE cites to Documents 1 and 2 for this claim
providing communication between said circuit	I ** · ·
module and said compressing circuit;	
WAARING AREA AND ANTICK AND ANTICK	
installing a multiplexer circuit in said housing	NICE cites to Documents 1 and 2 for this claim
for providing communication between said	limitation.
compressing circuit and said first bus, wherei	n
said multiplexer circuit multiplexes voice	The cited portions of Documents 1 and 2 fail to
signals exchanged between said compressing	show the claimed "installing a multiplexer
circuit and said circuit modules on said first	circuit in said housing for providing communication between said compressing
bus; and	circuit and said first bus."
4	onoute and said mot out.
installing a digital audio tape (DAT) drive in	NICE cites to Documents 1 and 10 for this
said housing for storing and reproducing said	claim limitation.
compressed voice data.	

23. The method of claim 22, further comprising the steps of connecting to said comprising circuit a hard disk drive for storing and reproducing said compressed voice data.  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel ContactStore  2) Eyretel MediaStore  3) Eyretel Contact Store  5) ContactStore.  NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infingement of claim 22, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim limitation.  NICE cites to Documents 1 and 9 for this claim limitation.  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel ContactStore  2) Eyretel MediaStore  3) Eyretel Contact Store  5) ContactStore.  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.	5,819,005 Claims	Accused Product(s)
comprising the steps of connecting to said comprising circuit a hard disk drive for storing and reproducing said compressed voice data.  by-claim and element-by-element basis sufficient to establish infringement of claim 22, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel ContactStore 2) Eyretel MediaStore 3) Eyretel Contact Store 5) ContactStore.  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient to establish infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.		
sufficient to establish infringement of claim 22, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.  NICE cites to Documents 1 and 9 for this claim limitation.  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel ContactStore  2) Eyretel MediaStore  3) Eyretel Contact Store  5) ContactStore.  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.		
storing and reproducing said compressed voice data.  from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyetel Contact Store  2) Eyretel MediaStore  3) Eyretel Contact 7000  4) eQuality Contact Store  5) ContactStore.  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers  NICE cites to Documents 1 and 2 for this claim limitation.		
indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.  24. A method of networking a plurality of digital recording loggers, comprising the step of:  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel Contact Store 2) Eyretel MediaStore 3) Eyretel Contact 7000 4) eQuality Contact Store 5) ContactStore.  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  Selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers  NICE cites to Documents 1 and 2 for this claim limitation.		
show infringement of this claim.  NICE cites to Documents 1 and 9 for this claim limitation.  24. A method of networking a plurality of digital recording loggers, comprising the step of:  NICE lists the following "Accused Products" for the '005 Patent:  1) Eyretel ContactStore  2) Eyretel MediaStore  3) Eyretel Contact Store  5) ContactStore.  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement contentions set forth in NICE's response to Witness Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.		
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S) ContactStore.  NICE has falled, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also falled to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.	•	3) Eyretel Contact 7000
NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  Selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers		4) eQuality Contact Store
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identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers	,	
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evidence on a claim-by-claim and element-by- element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers		
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Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  Selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers	,	
infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers  Interrogatory No. 13, on a claim-by-claim and element-by-element basis.		
response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers  response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.		
selecting a number of modular digital recording loggers for logging voice conversations, each of said recording loggers  claim-by-claim and element-by-element basis.  NICE cites to Documents 1 and 2 for this claim limitation.		
selecting a number of modular digital selecting a number of modular digital recording loggers for logging voice limitation.  NICE cites to Documents 1 and 2 for this claim limitation.		
recording loggers for logging voice limitation.  conversations, each of said recording loggers		claim-by-claim and element-by-element basis.
recording loggers for logging voice limitation.  conversations, each of said recording loggers		NICE -te-ta Daniel 1 10 C di
conversations, each of said recording loggers		
		inintation,
with the state of		. !
· · · · · · · · · · · · · · · · · · ·	combining:	
a housing; NICE cites to Documents 1, 2 and 3 for this	a housing:	NICE cites to Documents 1 2 and 3 for this
claim limitation.	,	claim limitation.
WARMER EASILIERING COLD		

5,819,005 Claims	Accused Product(s)
a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit including a plurality of terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation,	NICE cites to Documents 1, 2, 12, and 13 for this claim limitation.  The cited portions of Documents 1, 2, 12, and 13 fail to show the claimed "a circuit in said housing for converting analog voice signals to and from digital voice signals."
a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data,	NICE cites to Documents 1, 2, and 4 for this claim limitation.
a first bus in said housing for providing communication between said circuit module and said compressing circuit,	NICE cites to Documents 1, 2, and 4 for this claim limitation.  The cited portions of Documents 1, 2, and 4 fail to show the claimed "a first bus in said housing for providing communication between said
a multiplexer circuit in said housing for providing communication between said processor and said first bus, wherein said	circuit module and said compressing circuit."  NICE cites to Documents 1, 2, 3, and 4 for this claim limitation.
multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus,	The cited portions of Documents 1, 2, 3, and 4 fail to show the claimed "a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus."
a digital audio tape (DAT) drive for storing and reproducing said compressed voice data,	NICE cites to Documents 1 and 10 for this claim limitation.
a hard disk drive for storing and reproducing said compressed voice data,	NICE cites to Documents 1 and 9 for this claim limitation.
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	

5,819,005 Claims	Accused Product(s)
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	NICE cites to Document 1 for this claim limitation.
	The cited portions of Document 1 fails to show the claimed "a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive."
installing said selected number of said recording loggers;	NICE cites to Document 1 for this claim limitation.
installing a second computer for processing compressed digital voice signals received from each of said recording loggers; and	NICE cites to Document 1 for this claim limitation.
installing a third bus connecting each of said recording loggers to said second computer.	NICE cites to Document 1 for this claim limitation.
	The cited portions of Document 1 fails to show the claimed "installing a third bus connecting each of said recording loggers to said second computer."
25. The method of claim 24, wherein said third bus is a local area network (LAN) bus.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 24, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 1 for this claim limitation.

Accused Product(s)
NICE has failed to present evidence on a claim- by-claim and element-by-element basis
sufficient to establish infringement of claims 24
and 25, from which the claim depends either
directly or indirectly. Accordingly, NICE has
failed to show infringement of this claim.
NICE cites to Document 1 for this claim limitation.
The cited portions of Document 1 fails to show the claimed "each of said recording loggers further include a LAN adapter for providing connection to said LAN bus".

;;;}.

4

Document2

6,249,570 Claims	Accused Products
6. A method for recording information	NICE lists the following "Accused Products"
regarding telephone calls comprising one or	for the '570 Patent:
more segments, comprising:	1) Eyretel ContactStore 7000
More administration	2) eQuality ContactStore
·	3) Witness ContactStore for Communication
	Manager 4) Witness Quality for Communication Manager 5) Impact 360 6) eQuality Balance 7) eQuality ContactStore for IP
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
(a) receiving audio data regarding one or more telephone call segments relating to one or more telephone calls, and data regarding telephony events associated with said telephone call segments;	
(b) storing the received audio data regarding telephone call segments;	and 26 for this claim limitation.
(c) storing the received data regarding telephony events associated with said telephone call segments;	NICE cites to Documents 5, 9, 10, 14, 17, 25 and 26 for this claim limitation.
(d) identifying telephone call segments that relate to one telephone call; and	NICE cites to Documents 5, 9, 10, 14, 20 and 25 for this claim limitation.

6,249,570 Claims	Accused Products
(e) constructing a data representation of a lifetime of the telephone call using data regarding telephony events associated with	NICE cites to Documents 5, 7, 10, 14, 17, 21, 22, 23 and 24 for this claim limitation.
the telephone call segments of the telephone call, wherein said data representation comprises, for each segment of the call, the location of the stored audio data of that segment and the start time, end time, and	The cited portions of Documents 5, 7, 10, 14, 17, 21, 22, 23 and 24 fail to show the claimed "data representation of a lifetime of the telephone call."
duration of that segment.	The cited portions of Documents 5, 7, 10, 14, 17, 21, 22, 23 and 24 fail to show the claimed "constructing a data representation of a lifetime of the telephone call using data regarding telephony events associated with the telephone call segments of the telephone call."
7. A method for recording information regarding telephone calls comprising one or more segments, comprising:	NICE lists the following "Accused Products" for the '570 Patent:  1) Eyretel ContactStore 7000  2) eQuality ContactStore  3) Witness ContactStore for Communication Manager  4) Witness Quality for Communication Manager  5) Impact 360  6) eQuality Balance  7) eQuality ContactStore for IP
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present
	evidence on a claim-by-claim and element-by- element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the
	infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.

Γ	6,249,570 Claims	Accused Products
ţ	(a) receiving audio data regarding one or	NICE cites to Documents 1, 18, 25 and 26 for
ĺ	more telephone call segments relating to one	the claim limitation.
ı	or more telephone calls, and data regarding	
ı	telephony events associated with said	The cited portions of Documents 1, 18, 25 and
ļ	telephone call segments, wherein the data	26 fail to show the claimed "data regarding
1	regarding telephony events is received from a	telephony events is received from a plurality of sources connected to a telephone switching
١	plurality of sources connected to a telephone	environment, wherein at least one of the sources
1	switching environment, wherein at least one of the sources is a real-time link and at least	is a real-time link and at least one of the sources
	one of the sources is not a real-time link;	is not a real-time link."
I	Old of the sources is not a roar time many	
	(b) storing the received audio data regarding	NICE cites to Documents 5, 9, 10, 17 and 25 for
	telephone call segments;	this claim limitation.
i	(c) storing the received data regarding	NICE cites to Documents 5, 9, 10, 17, 25 and 26
	telephony events associated with said	for this claim limitation.
	telephone call segments;	
	, , , , , , , , , , , , , , , , , , ,	
	(d) identifying telephone call segments that	NICE cites to Documents 5, 9, 14, 22 and 25 for
	relate to one telephone call; and	this claim limitation.
	(a) an experience data consequentation of a	NICE cites to Documents 5, 9, 10, 17 and 25 for
	(e) constructing a data representation of a lifetime of the telephone call using data	this claim limitation.
	regarding telephony events associated with	Man Assault Thereses
	the telephone call segments of the telephone	The portions of the cited Documents 5, 9, 10, 17
	call.	and 25 fail to show the claimed "data
		representation of a lifetime of the telephone
		call."
•	·	The portions of the cited Documents 5, 9, 10, 17
		and 25 fail to show the claimed "constructing a
		data representation of a lifetime of the telephone
:	• •	call using data regarding telephony events
		associated with the telephone call segments of
		the telephone call."
	· · · · · · · · · · · · · · · · · · ·	

5

Document2 5

6,728,345 Claims	Accused Product(s)
1. A system for recording information	NICE lists the following "Accused Products"
regarding telephone calls with three or more	for the '345 Patent:
participants and comprising one or more	1) eQuality ContactStore
telephone call segments, comprising:	2) Witness ContactStore for Communication
·	Manager
	3) Witness Quality for Communication
	Manager
	4) Impact 360
•	5) eQuality Balance
	6) eQuality ContactStore for IP
	NICE has failed, however, to specify particular
•	products and versions of the "Accused
	Products" sufficient for Witness Systems to
	identify the particular products accused of
	infringement. NICE has also failed to present
•	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
'	infringement of each version of each Accused
	Product. Witness responds below to the
	infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
	claim-by-claim and element-by-element basis.
	Claim-by-claim and significate by cromons of
(a) a first memory having one or more	NICE cites to Documents 5, 7, 9, 14, 17, 25 and
locations storing audio data of telephone call	32 for this claim limitation.
segments;	
dogmones,	
(b) a second memory having one or more	NICE cites to Documents 5, 7, 9, 14, 17, 25 and
locations storing data regarding telephony	32 for this claim limitation.
events associated with the telephone call	
segments; and	•
· · · · · · · · · · · · · · · · · · ·	

6,728,345 Claims	Accused Product(s)
(c) a processor programmed to: (i) identify telephone call segments that relate to the same telephone call and (ii) construct a data	NICE cites to Documents 5, 7, 9, 10, 14, 17, 19, 20, 21, 25 and 32 for this claim limitation.
representation of lifetimes of the telephone calls that have three or more participants, wherein said data representations are constructed using data regarding telephony events associated with the telephone call segments.	The cited portions of Documents 5, 7, 10, 14, 17, 19, 21 and 25 fail to show the claimed "processor programmed to(ii) construct a data representation of lifetimes of the telephone calls that have three or more participants."  The cited portions of Documents 5, 7, 10, 14, 17, 19, 21 and 25 fail to show the claimed "data representations are constructed using data regarding telephony events associated with the telephone call segments."
2. The system of claim 1 wherein the data representation of each telephone call comprises (i) a list of participants in the telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1, 5, 10, 14, 18, 19,
	24, and 26 for this claim limitation.  The cited portions of Documents 1, 5, 10, 14, 18, 19, 24, and 26 fail to show the claimed "data representation of each telephone call comprises (i) a list of participants in the telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call."

; -<del>; )</del> ;

6,728,345 Claims	Accused Product(s)
3. The system of claim 1 wherein the data representation of each telephone call comprises, for each segment of the call, the location of the stored audio data of that segment.	NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14 and 23 for this claim limitation.  The cited portions of Documents 10, 14, and 23 fail to show the claimed "data representation of each telephone call comprises, for each segment of the call, the location of the stored audio data of that segment."
4. The system of claim 1 wherein the first memory and the second memory are the same.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14, 23, 27, 28 and 32 for this claim limitation.
5. The system of claim 1 wherein the processor is comprised of a plurality of physically separated components.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 9 and 28 for this claim limitation.

£ 720 245 Claims	A 3 Th 3 E 4/3
6,728,345 Claims	Accused Product(s)
6. The system of claim 3 wherein the location	NICE has failed to present evidence on a claim-
of the stored audio data of each segment	by-claim and element-by-element basis
comprises a location of a .WAV file	sufficient to establish infringement of claim 1,
containing the audio data.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Documents 10, 14, 29 and 31 for
	this claim limitation.
7. The system of claim 6 wherein the data	NICE has failed to present evidence on a claim-
representation of a telephone call further	by-claim and element-by-element basis
comprises an offset within the .WAV file to	sufficient to establish infringement of claim 1,
the start of the stored audio data.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
·	NICE cites to Documents 5 and 10 for this
	claim limitation.
ļ	
	The cited portions of Documents 5 and 10 do
1	not show the claimed "offset within the .WAV
	file to the start of the stored audio data."
8. The system of claim 1 wherein the data	NICE has failed to present evidence on a claim-
regarding telephony events is received from a	by-claim and element-by-element basis
plurality of sources connected to a telephone	sufficient to establish infringement of claim 1,
switching environment.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Documents 5, 26 and 42 for this.
	claim limitation.
<u> </u>	

_		A assert Desderate
L	6,728,345 Claims	Accused Product(s)
9	The system of claim 1 further comprising	NICE has failed to present evidence on a claim-
ļ	lisplay software that uses said data	by-claim and element-by-element basis
1	representation to display a graphical	sufficient to establish infringement of claim 1,
1	epresentation of said telephone call.	from which the claim depends either directly or
		indirectly. Accordingly, NICE has failed to
		show infringement of this claim.
		NICE cites to Documents 1, 10, 18, 21, 24 and 30 for this claim limitation.
		The cited portions of Documents 1, 10, 18, 21, 24 and 30 do not show the claimed "display software that uses said data representation to display a graphical representation of said telephone call."
ŀ	10. The system of claim 2 further comprising	NICE has failed to present evidence on a claim-
1	display software that uses a data	by-claim and element-by-element basis
1	representation of a telephone call to display a	sufficient to establish infringement of claim 1,
	graphical representation of said telephone call.	from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
		NICE cites to Documents 1, 10, 18, 21, 24 and 30 for this claim limitation.
1		The cited portions of Documents 1, 10, 18, 21,
		24 and 30 do not show the claimed "display
1		software that uses a data representation of a
•]	·	telephone call to display a graphical
1		representation of said telephone call."
٠, .	11. The system of claim 10 wherein the	NICE has failed to present evidence on a claim-
- }	graphical representation comprises a	by-claim and element-by-element basis
. ]	representation of each segment of the call.	sufficient to establish infringement of claim 1,
	<u> </u>	from which the claim depends either directly or
		indirectly. Accordingly, NICE has failed to
. ]	, , , , , , , , , , , , , , , , , , ,	show infringement of this claim.
. 1		1
	·	NICE cites to Documents 10, 15, 17, 24 and 30 for this claim limitation.

6,728,345 Claims	Accused Product(s)
12. The system of claim 10 wherein the graphical representation comprises a representation of the length of time of each segment of the call	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 17, 24, 26 and 30 for this claim limitation.
14. A method for recording information regarding telephone calls with three or more participants and comprising one or more participants and comprising one or more telephone call segments, comprising:	NICE lists the following "Accused Products" for the '345 Patent:  1) eQuality ContactStore 2) Witness ContactStore for Communication Manager 3) Witness Quality for Communication Manager 4) Impact 360 5) eQuality Balance 6) eQuality Balance 6) eQuality ContactStore for IP  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
(a) receiving audio data regarding one or more telephone call segments;	NICE cites to Documents 5, 9, 10, 25 and 26 for this claim limitation.
(b) receiving data regarding telephony events associated with said telephone call segments;	NICE cites to Documents 5, 9, 10, 25 and 26 for this claim limitation.
(c) storing the received audio data regarding telephone call segments;	NICE cites to Documents 5, 7, 9, 14, 17 and 25 for this claim limitation.

6,728,345 Claims	Accused Product(s)
(d) storing the received data regarding telephone events associated with said telephone call segments;	NICE cites to Documents 5, 7, 9, 10, 14, 18, 19 and 25 for this claim limitation.
(e) identifying telephone call segments that relate to the same telephone call; and	NICE cites to Documents 5, 9, 14 and 20 for this claim limitation.
(f) constructing data representations of lifetimes of telephone calls, wherein said data representations are constructed using data regarding telephony events associated with telephone call segments.	NICE cites to Documents 5, 7, 10, 14, 17, 19, 21 and 25 for this claim limitation.  The cited portions of Documents 5, 7, 10, 14, 17, 19, 21 and 25 fail to show the claimed "data representations of lifetimes of telephone calls."  The cited portions of Documents 5, 7, 10, 14, 17, 19, 21 and 25 fail to show the claimed "data representations are constructed using data regarding telephony events associated with telephone call segments."
15. The method of claim 14 wherein each data representation of a telephone call comprises:  (i) a list of participants in the telephone call;  (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call.	NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 14, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 1, 5, 6, 10, 14, 18, 19, 24 and 26 for this claim limitation.  The cited portions of Documents 1, 5, 6, 10, 14, 18, 19, 24 and 26 fail to show the claimed "data representation of a telephone call comprises: (i) a list of participants in the telephone call; (iii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call."

Accused Product(s) E has failed to present evidence on a claim-
claim and element-by-element basis icient to establish infringement of claim 14, in which the claim depends either directly or rectly. Accordingly, NICE has failed to w infringement of this claim.  EE cites to Documents 10, 14 and 23 for this
m limitation.  cited portions of Documents 10, 14 and 23 to show the claimed "each data resentation of a telephone call comprises, for a segment of the call, a location of stored io data if that segment."
E has failed to present evidence on a claim- claim and element-by-element basis ficient to establish infringement of claim 14, in which the claim depends either directly or frectly. Accordingly, NICE has failed to w infringement of this claim.  E cites to Documents 10, 12, 23, 27 and 28 this claim limitation.
E has failed to present evidence on a claim- claim and element-by-element basis ficient to establish infringement of claim 14, n which the claim depends either directly or irectly. Accordingly, NICE has failed to w infringement of this claim.
CE cites to Documents 5, 9 and 28 for this in limitation.  e cited portions of Documents 5, 9 and 28 fail show the claimed "each data representation is structed by a plurality of physically arated processors."

6,728,345 Claims	Accused Product(s)
19. The method of claim 16 wherein the location of the stored audio data of each segment comprises a location of a .WAV file containing the audio data.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 14, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14, 29 and 31 for this claim limitation.
20. The method of claim 19 wherein a data representation further comprises an offset within the .WAV file to start of the stored audio data.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 14, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5 and 10 for this claim limitation.  The cited portions of Documents 5 and 10 do not show the claimed "data representation further comprises an offset within the .WAV file to start of the stored audio data."
21. The method of claim 14 wherein data regarding telephony events is received from a plurality of sources connected to a telephone switching environment.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 14, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5 and 26 for this claim limitation.

Γ	6,728,345 Claims	Accused Product(s)
7	22. The method of claim 14 further	NICE has failed to present evidence on a claim-
	comprising the step of using a data	by-claim and element-by-element basis
	representation of a telephone call to display a	sufficient to establish infringement of claim 14,
	graphical representation of the telephone call.	from which the claim depends either directly or
ľ	Professionant value of the second sec	indirectly. Accordingly, NICE has failed to
		show infringement of this claim.
	· · · · · · · · · · · · · · · · · · ·	
-		NICE cites to Documents 1, 10, 18, 21, 24 and
1		30 for this claim limitation.
1	•	The cited portions of Documents 1, 10, 18, 21,
		24 and 30 do not show the claimed "using a data
1	•	representation of a telephone call to display a
		graphical representation of the telephone call."
Ļ		TATOM L. C. M. J.
	23. The method of claim 15 further	NICE has failed to present evidence on a claim-
ł	comprising the step of using said data	by-claim and element-by-element basis sufficient to establish infringement of claim 14,
	representation of a telephone call to display a	from which the claim depends either directly or
	graphical representation of the telephone call.	indirectly. Accordingly, NICE has failed to
١		show infringement of this claim.
1		. Handanous of the state
1		NICE cites to Documents 1, 10, 18, 21, 24 and
		30 for this claim limitation.
1		
1		The cited portions of Documents 1, 10, 18, 21,
.	•	24 and 30 do not show the claimed "using said
١	· .	data representation of a telephone call to display
1	•	a graphical representation of the telephone call."
	24. The method of claim 23 wherein the	NICE has failed to present evidence on a claim-
1	graphical representation comprises a	by-claim and element-by-element basis
ł	representation of each segment of the call.	sufficient to establish infringement of claim 14, from which the claim depends either directly or
•		indirectly. Accordingly, NICE has failed to
		show infringement of this claim.
. }		anow manigement of this cialin,
	•	NICE cites to Documents 10, 14, 17, 24 and 30
		for this claim limitation.
٠,	•	,

6,728,345 Claims	Accused Product(s)
25. The method of claim 23 wherein the graphical representation comprises a representation of the length of time of each segment of the call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 14, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 17, 24, 26 and 30 for this claim limitation.
40. A method for recording information regarding telephone calls comprising one or more telephone call segments, wherein said calls comprise calls wherein at least one participant paprticipates (sic) in a plurality of segments, comprising:	NICE lists the following "Accused Products" for the '345 Patent:  1) eQuality ContactStore 2) Witness ContactStore for Communication Manager 3) Witness Quality for Communication Manager 4) Impact 360 5) eQuality Balance 6) eQuality ContactStore for IP
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
(a) receiving audio data regarding one or more telephone call segments and data regarding telephone events associated with said telephone call segments;	NICE cites to Documents 5, 9, 10, 25 and 26 for this claim limitation.
(b) storing the received audio data regarding telephone call segments;	NICE cites to Documents 5, 7, 9, 10, 14, 17, 25 and 26 for this claim limitation.

6,728,345 Claims	Accused Product(s)
(c) storing the received data regarding	NICE cites to Documents 5, 10, 14, 17, 18, 19,
telephony events associated with said	25 and 26 for this claim limitation.
telephone call segments;	
(d) identifying telephone call segments that relate to one telephone call;	NICE cites do Documents 5 and 9 for this claim limitation.
(e) identifying multiple call segments that have the same participant; and	NICE cites to Documents 14 and 21 for this claim limitation.
(f) constructing data representations of lifetimes of telephone calls, wherein each data representation of a telephone call is constructed using data regarding telephony	NICE cites to Documents 5, 7, 10, 14, 17, 19, 21 and 25 for this claim limitation.  The cited portions of Documents 5, 7, 10, 14,
events associated with the telephone call segments of the telephone call.	17, 19, 21 and 25 fail to show the claimed "data representations of lifetimes of telephone calls."  The cited portions of Documents 5, 7, 10, 14,
	17, 19, 21 and 25 fail to show the claimed "each data representation of a telephone call is constructed using data regarding telephony events associated with the telephone call segments of the telephone call."
41. The method of claim 40 wherein a data representation of a telephone call comprises: (i) a list of participants in the telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
and end time of the can.	NICE cites to Documents 1, 5, 6, 10, 14, 18, 19, 24 and 26 for this claim limitation.
	The cited portions of Documents 1, 5, 6, 10, 14, 18, 19, 24 and 26 fail to show the claimed "data representation of a telephone call comprises: (i) a list of participants in the telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call."

6,728,345 Claims	Accused Product(s)
42. The method of claim 40 wherein a data representation of a telephone call comprises, for each segment of the call, the location of the stored audio data of that segment.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 10, 14 and 23 for this claim limitation.  The cited portions of Documents 10, 14 and 23 fail to show the claimed "data representation of a telephone call comprises, for each segment of the call, the location of the stored audio data of that segment."
43. The method of claim 40 wherein the received audio data and the data regarding telephony events is stored in the same memory.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 12, 23, 27 and 28 for this claim limitation.
44. The method of claim 40 wherein a data representation of a telephone call is constructed by a plurality of physically separated processors.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 9 and 28 for this claim limitation.
	The cited portions of Documents 5, 9 and 28 fail to show the claimed "data representation of a telephone call is constructed by a plurality of physically separated processors."

6,728,345 Claims	Accused Product(s)
45. The method of claim 42 wherein a location of stored audio data of each segment comprises the location of a .WAV file containing the audio data.  46. The method of claim 45 wherein a data	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14, 29 and 31 for this claim limitation.  NICE has failed to present evidence on a claim-
representation of a telephone call further comprises an offset within the .WAV file to the start of the stored audio data.	by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has falled to show infringement of this claim.  NICE cites to Documents 5 and 10 for this claim limitation.  The cited portions of Documents 5 and 10 do not show the claimed "data representation of a telephone call further comprises an offset within the .WAV file to the start of the stored audio data."
47. The method of claim 40 wherein data regarding telephony events is received from a plurality of sources connected to a telephone switching environment.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5 and 26 for this claim limitation.

6,728,345 Claims	Accused Product(s)
48. The method of claim 40 further comprising the step of using a data representation of a telephone call to display a graphical representation of said telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 10, 18, 21, 24 and 30 for this claim limitation.
	The cited portions of Documents 1, 10, 18, 21, 24 and 30 do not show the claimed "using a data representation of a telephone call to display a graphical representation of said telephone call."
49. The method of claim 40 further comprising the step of using a data representation of a telephone call to display a graphical representation of said telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 10, 18, 21, 24 and 30 for this claim limitation.
	The cited portions of Documents 1, 10, 18, 21, 24 and 30 do not show the claimed "a data representation of a telephone call to display a graphical representation of said telephone call."
50. The method of claim 49 wherein the graphical representation comprises a representation of each segment of the call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 10, 14, 17, 24 and 30 for this claim limitation.

6,728,345 Claims	Accused Product(s)
51. The method of claim 49 wherein the graphical representation comprises a representation of the length of time of each segment of the call.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 40, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 17, 24, 26 and 30 for this claim limitation.

6

Document2

6,775,372 Claims	Accused Products
1. A multi-stage data logging system	NICE lists the following "Accused Products"
comprising:	for the '372 Patent:
Comprising.	1) Impact 360
	2) Witness ContactStore
,	3) Witness Quality for Communication
	Manager
	4) Witness ContactStore for Communication
	Manager Contact State Contact
	NICE has failed, however, to specify particular products and versions of the "Accused
	Products" sufficient for Witness Systems to
	identify the particular products accused of
	infringement. NICE has also failed to present
	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
	infringement of each version of each Accused
	Product. Witness responds below to the
	infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
<b>√</b> .	claim-by-claim and element-by-element basis.
3	
a) a telecommunications ("telecom") stage	NICE cites to Documents 1, 4, 5, and 32 for this
receiving input from a plurality of	claim limitation.
communication channels;	
Communication organisms,	The cited portions of Document 32 fails to show
	the claimed "telecommunications ("telecom")
	stage."
	1
b) a recorder stage having one or more	NICE cites to Documents 1, 5, 10, and 32 for
recorders, at least one recorder logging data	this claim limitation.
associated with information transmitted on at	
least one of said plurality of communication	
channels:	
ondinion,	
c) a distribution stage providing access to data	NICE cites to Documents 5, 10, and 25 for this
logged in the recorder stage;	claim limitation.
1088en in me recorder surge,	
d) a first interface linking the telecom and the	NICE cites to Documents 1, 5, and 32 for this
I recorder stages and a second interface linking	claim limitation.
the recorder and the distribution stages;	
The 1course shr me distribution stakes,	The cited portions of Documents 1 and 5 fail to
;	show a "first interface linking the telecom and
	the recorder stages"
1	HIO I AOOL GOT BANGOD
1	<u></u>

C BUE 250 Clair-	Accused Products
6,775,372 Claims	NICE cites to Documents 25, 33, and 34 for this
wherein at least two stages of the system are	claim limitation.
physically separable and in operation can be	Cialiti Ilinitadoit.
located wide distances apart.	
6. The data logging system of claim 1 wherein	NICE has failed to present evidence on a claim-
the telecom stage provides time stamping of	by-claim and element-by-element basis
the received input.	sufficient to establish infringement of claim 1,
die tecorred input.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Document 32 for this claim
,	limitation.
	The cited portions of Document 32 fails to show
	a "the telecom stage provides time stamping of
	the received input"
8. The data logging system of claim 1 wherein	NICE has failed to present evidence on a claim-
the recorder stage comprises a controller for	by-claim and element-by-element basis
directing and monitoring recorder stage	sufficient to establish infringement of claim 1,
operations, and each recorder comprises:	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
b1) a first interface receiving data from the	NICE cites to Documents 1, 4, 5, and 32 for this
telecom stage;	claim limitation.
rejecom stage,	Olding Allanderon.
	The cited portion of Document 1 fails to show a
	"a first interface receiving data from the
· ·	telecom stage."
•	
b2) a buffer for transitional data storage;	NICE cites to Documents 1, 4, 5, and 32 for this
	claim limitation.
	The cited portion of Documents 1, 4, 5, and 32
	fail to show "a buffer for transitional data
1	storage."
	NICE sites to Description 1 5 0 and 20 femalis
b3) a random access storage device for data	NICE cites to Documents 1, 5, 8, and 32 for this claim limitation.
storage; and	Clauri tufffscon.

6,775,372 Claims	Accused Products
b4) a second interface for transmitting stored data to the distribution stage.	NICE cites to Documents 1, 5, and 32 for this claim limitation.
	The cited portion of Documents 1, 5, and 32 fail to show "a second interface for transmitting stored data to the distribution stage."
9. The data logging system of claim 8 wherein the recorder stage still further comprises an archive storage device for archiving data.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim I, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 4, 5, and 10 for this claim limitation.
12. The data logging system of claim 9 wherein said archive storage device is a RAID array.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 7, 10, and 32 for this claim limitation.
14. The data logging system of claim 1 wherein the distribution stage comprises:	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
c1) a first interface receiving data from the recorder stage;	NICE cites to Document 5 for this claim limitation.
	The cited portion of Document 5 fails to show "a first interface receiving data from the recorder stage."

6,775,372 Claims	Accused Products
c2) a controller for directing and monitoring distribution stage operations;	NICE cites to Document 5 for this claim limitation.
	The cited portion of Document 5 fails to show "a controller for directing and monitoring distribution stage operations."
c3) a buffer for transitional data storage; and	NICE cites to Document 5 for this claim limitation.
	The cited portion of Document 5 fails to show "a buffer for transitional data storage."
c4) a second interface for distributing data to one or more output channels.	NICE cites to Document 5 for this claim limitation.
	The cited portion of Document 5 fails to show "a second interface for distributing data to one or more output channels."
15. The data logging system of claim 1 wherein the distribution stage comprises an archive storage device for archiving data.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 7, 10, and 32 for this claim limitation.
17. The data logging system of claim 15 wherein said archive storage device is a RAID array.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 7, 10, and 32 for this claim limitation.

6,775,372 Claims	Accused Products
19. The data logging system of claim 1 wherein the distribution stage comprises: an operating system software application and a computer capable of running said software application and accessing one or more remote serve computers.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
SOLVE COMPANSION	NICE cites to Document 5 for this claim limitation.
	The cited portion of Document 5 fails to show "an operating system software application and a computer capable of running said software application and accessing one or more remote serve computers."
20. The data logging system of claim 19 wherein said computer is connected to said one or more remote server computers via a local area network.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 5 for this claim limitation.
	The cited portion of Document 5 fails to show "said computer is connected to said one or more remote server computers via a local area network."

6,775,372 Claims	Accused Products
21. The data logging system of claim 19 wherein said computer is connected to said one or more remote server computers via an Internet protocol (I/P) network.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 5 for this claim limitation.
-	The cited portion of Document 5 fails to show "said computer is connected to said one or more remote server computers via an Internet protocol (I/P) network."
23. The data logging system of claim 1 wherein at least one of said first and second interfaces is network-based.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 5 for this claim limitation.
32. The data logging system of claim 1, wherein the distribution stage is implemented as a network server.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 5 for this claim limitation.

6,775,372 Claims	Accused Products
33. The data logging system of claim 32, wherein the network server is a Web server.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	The cited portion of Document 5 fails to show "wherein the network server is a Web server."
34. The data logging system of claim 32, wherein the network server is a file server.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
,	NICE cites to Document 19 for this claim limitation.
	The cited portion of Document 19 fails to show "wherein the network server is a file server."
35. The data logging system of claim 33, wherein users can access the Web server through a browser.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 5, and 10 for this claim limitation.

6,775,372 Claims	Accused Products
43. A data logger, comprising:	NICE lists the following "Accused Products" for the '372 Patent:  1) Impact 360 2) Witness ContactStore 3) Witness Quality for Communication Manager 4) Witness ContactStore for Communication Manager
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
a telecommunication device receiving input from a plurality of communication channels;	NICE cites to Documents 1, 4, 5, and 32 for this claim limitation.
a processor converting the received input to one or more data formats;	NICE cites to Documents 1, 4, 5, and 32 for this claim limitation.
a memory for logging information about the received input, the information comprising data converted to at least one data format;	NICE cites to Documents 1, 5, 10, and 32 for this claim limitation.  The cited portion of Documents 1, 5, 10, and 32 fail to show "a memory for logging information about the received input, the information comprising data converted to at least one data format."
a communication path to a communications network; and	NICE cites to Documents 1 and 5 for this claim limitation.

6,775,372 Claims	Accused Products
a server having access to the memory via the communications network for transferring logged data from one or more of said plurality	NICE cites to Documents 4, 5, and 9 for this claim limitation.
of communication channels via the communications network to at least one remote user.	The cited portion of Documents 4, 5, and 9 fail to show "a server having access to the memory via the communications network for transferring logged data from one or more of said plurality of communication channels via the communications network to at least one remote user."
44. The data logger of claim 43 wherein the server is a Web server and the communications network is the Internet.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 43, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5 and 10 for this claim limitation.
	The cited portion of Documents 5 and 10 fail to show "the server is a Web server and the communications network is the Internet."

Document2

4 502 050 CIL-III-	Accused Products
6,785,370 Claims	NICE lists the following "Accused Products"
1. A method for constructing and	for the '370 Patent:
maintaining data representations of lifetimes	1) Witness ContactStore for Communication
of telephone calls comprising one or more	Manager
segments, audio data for each segment being recorded on one or more recorders, the	2) Witness Quality for Communication
1 = ' '	Manager
method comprising:	3) eQuality ContactStore:
	4) Impact 360
·	5) eQuality Balance
	6) eQuality ContactStore for IP
	27.52
	NICE has failed, however, to specify particular
;	products and versions of the "Accused
	Products" sufficient for Witness Systems to
	identify the particular products accused of
	infringement. NICE has also failed to present
	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
	infringement of each version of each Accused
. '	Product. Witness responds below to the
	infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
1	claim-by-claim and element-by-element basis.
	NICE sites to Decuments 5 14 17 19 20 21
(a) constructing a call record for at least one	NICE cites to Documents 5, 14, 17, 19, 20, 21 and 36 for this claim limitation.
telephone call;	and so for this claim miniation.
	The cited portions of Documents 5, 14, 17, 19,
-	20, 21 and 36 fail to show the claimed "call
·	record."
(b) receiving data regarding telephony events	NICE cites to Documents 5, 9, 10, 25 and 26 for
associated with one or more telephone calls;	this claim limitation.
(c) matching a received telephony event with	NICE cites to Documents 5, 9, 14 and 20 for
a constructed call record;	this claim limitation.
	The cited portions of Documents 5, 9, 14 and 20
	do not show the claimed "matching a received
	telephony event with a constructed call record."

6,785,370 Claims	Accused Products
(d) updating the matching call record based on the received telephony event data; and	NICE cites to Documents 5, 9, 14 and 20 for this claim limitation.
	The cited portions of Documents 5, 9, 14 and 20 do not show the claimed "updating the matching call record based on the received telephony event data."
(e) combining the updated call record with data indicating the location of recorded audio data for the segment of the call, to obtain a	NICE cites to Documents 14, 18, 21, 23, 24 and 36 for this claim limitation.
master call record representing the lifetime of the telephone call.	The cited portions of Documents 14, 18, 21, 23, 14 and 36 fail to show the claimed "combining the updated call record with data indicating the location of recorded audio data for the segment of the call."
	The cited portions of Documents 14, 18, 21, 23, 14 and 36 fail to show the claimed "master call record representing the lifetime of the telephone call."
5. The method of claim 1 wherein the master call record comprises a serial number that identifies the telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 14, 18, 24 and 36 for this claim limitation.
	The cited portions of Documents 14, 18, 24 and 36 fail to show the claimed "master call record comprises a serial number that identifies the telephone call."
.1	

**#** 

6,785,370 Claims	Accused Products
6. The method of claim 1 wherein the call record is updated with data fields describing each participant of the telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 5, 14, 24 and 26 for this claim limitation.
	The cited portions of Documents 1, 5, 14, 24 and 26 fail to show the claimed "call record is updated with data fields describing each participant of the telephone call."
7. The method of claim 5 wherein the call record is updated with data fields describing each participant of the telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 5, 14, 24 and 26 for this claim limitation.
	The cited portions of Documents 1, 5, 14, 24 and 26 fail to show the claimed "call record is updated with data fields describing each participant of the telephone call."

6,785,370 Claims	Accused Products
8. The method of claim 1 further comprising the step of assembling and playing back segments of telephone calls using the recorder locations described in the master call record for each telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 17, 23 and 26 for this claim limitation.
	The cited portions of Documents 17, 23 and 26 fail to show the claimed "assembling and playing back segments of telephone calls using the recorder locations described in the master call record for each telephone call."
9. The method of claim 1 further comprising the step of using the master call record to display a graphical representation of said telephone call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1, 17, 18, 21, 24, 30 and 36 for this claim limitation.
	The cited portions of Documents 1, 17, 18, 21, 24, 30 and 36 fail to show the claimed "using the master call record to display a graphical representation of said telephone call."

777 777	Accused Products
6,785,370 Claims	NICE has failed to present evidence on a claim-
11. The method of claim 9 wherein the	by-claim and element-by-element basis
graphical representation comprises a	
representation of each segment of the	sufficient to establish infringement of claim 1,
telephone call.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NGD -1 D 14 17 18 21 24 20
·	NICE cites to Documents 14, 17, 18, 21, 24, 30
•	and 36 for this claim limitation.
•	The cited portions of Documents 14, 17, 18, 21,
	24, 30 and 36 fail to show the claimed
· ·	"graphical representation comprises a
,	representation of each segment of the telephone
	call."
	NICE lists the following "Accused Products"
27. A method for constructing and	for this claim of '370 Patent:
maintaining data representations of lifetimes	1) Witness ContactStore for Communication
of telephone calls comprising two or more	, r
segments, audio data for each segment being	Manager 2) Witness Quality for Communication
recorded on one or more recorders, the	, ,
method comprising the steps of:	Manager
	3) eQuality ContactStore:
,	4) Impact 360
	5) eQuality Balance
	6) eQuality ContactStore for IP
	NICE has failed, however, to specify particular
	products and versions of the "Accused
· 🕽	Products' sufficient for Witness Systems to
	identify the particular products accused of
1	infringement. NICE has also failed to present
	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
	infringement of each version of each Accused
	Product. Witness responds below to the
	infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
	claim-by-claim and element-by-element basis.

6,785,370 Claims	Accused Products
(a) constructing a call record for a telephone call comprising two or more segments;	NICE cites to Documents 5, 14, 17, 19, 20, 21 and 36 for this claim limitation.
	The cited portions of Documents 5, 14, 17, 19, 20, 21 and 36 fail to show the claimed "call record."
(b) receiving data regarding one or more telephony events associated with the telephone call;	NICE cites to Documents 5, 9, 10, 25 and 26 for this claim limitation.
(c) matching said one or more received telephony events with said call record;	NICE cites to Documents 5, 9, 14 and 20 for this claim limitation.
	The cited portions of Documents 5, 9, 14 and 20 do not show the claimed "matching said one or more received telephony events with said call record."
(d) updating said call record based on said received telephony event data; and	NICE cites to Documents 5, 9, 14 and 20 for this claim limitation.
,	The cited portions of Documents 5, 9, 14 and 20 do not show the claimed "updating said call record based on said received telephony event data."
(e) combining said updated call record with data indicating one or more locations of	NICE cites to Documents 14, 18, 21, 23, 24 and 36 for this claim limitation.
recorded audio data for two or more segments of the call, to obtain a master call record representing the lifetime of said telephone call.	The cited portions of Documents 14, 18, 21, 23, 14 and 36 fail to show the claimed "combining said updated call record with data indicating one or more locations of recorded audio data for two or more segments of the call."
	The cited portions of Documents 14, 18, 21, 23, 14 and 36 fail to show the claimed "master call record representing the lifetime of said telephone call."

6,785,370 Claims	Accused Products
28. A method for constructing and	NICE lists the following "Accused Products"
maintaining data representations of lifetimes	for this claim of '370 Patent:
of telephone calls comprising two or more	1) Witness ContactStore for Communication
segments, the method comprising:	Manager
	2) Witness Quality for Communication
  -	Manager
	3) eQuality ContactStore:
	4) Impact 360
	5) eQuality Balance
	6) eQuality ContactStore for IP
	NICE has failed, however, to specify particular
	products and versions of the "Accused
	Products" sufficient for Witness Systems to
	identify the particular products accused of
<u> </u>	infringement. NICE has also failed to present
·	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
	infringement of each version of each Accused
•	Product. Witness responds below to the infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
<u> </u>	claim-by-claim and element-by-element basis.
	Clami-by-clami and clement-by-clement casis.
(a) constructing a call record for a telephone	NICE cites to Documents 5, 14, 17, 19, 20, 21
call comprising two or more segments,	and 36 for this claim limitation.
wherein at least one participant in said call	
participates in two or more of said segments;	The cited portions of Documents 5, 14, 17, 19,
	20, 21 and 36 fail to show the claimed "call
	record."
1	2000 W. 4. D
(b) receiving data regarding one or more	NICE cites to Documents 5, 9, 10, 25 and 26 for this claim limitation.
telephony events associated with the	inis claim limitation.
telephone call;	
() wasting and are as many magnitud	NICE cites to Documents 5, 9, 14 and 20 for
(c) matching said one or more received	this claim limitation.
telephony events with said call record;	THE AMERICAN
	The cited portions of Documents 5, 9, 14 and 20
	do not show the claimed "matching said one or
	more received telephony events with said call
	record."
	·

6,785,370 Claims	Accused Products
(d) updating said call record based on said received telephony event data; and	NICE cites to Documents 5, 9, 14 and 20 for this claim limitation.
	The cited portions of Documents 5, 9, 14 and 20 do not show the claimed "updating said call record based on said received telephony event data."
(e) combining said updated call record with data indicating one or more locations of recorded audio data for two or more segments of the call, to obtain a master call record representing the lifetime of said telephone call.	NICE cites to Documents 14, 18, 21, 23, 24 and 36 for this claim limitation.  The cited portions of Documents 14, 18, 21, 23, 14 and 36 fail to show the claimed "combining said updated call record with data indicating one or more locations of recorded audio data for two or more segments of the call."  The cited portions of Documents 14, 18, 21, 23, 14 and 36 fail to show the claimed "master call record representing the lifetime of said telephone call."

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Document2 8

6,870,920 Claims	Accused Product(s)
1. A method for accessing information in at	NICE listed the following "Accused Products"
least one digital logger storing data associated	for the '920 Patent:
with input from a plurality of input channels,	1) Witness ContactStore
comprising:	2) Witness Quality for Communication Manager
	3) Witness ContactStore for Communication
	Manager
	4) Impact 360
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
at a Web server having access to said at least	NICE cites to Documents 2, 5, 9, and 10 for this
one digital logger, receiving a request for	claim limitation.
retrieval of stored data from a client;	
	The cited portions of Documents 2, 5, 9, and 10 fail to show the claimed "Web server."
	The cited portions of Documents 5, and 9 fail to show the claimed "receiving a request for retrieval of stored data from a client."
retrieving stored data in accordance with the	NICE cites to Documents 5 and 9 for this claim
received request;	limitation.
	The cited portions of Documents 5 and 9 fail to show the claimed "retrieving stored data in accordance with the received request."
and transferring the retrieved data to the client.	NICE cites to Documents 5 and 9 for this claim limitation.
	The cited portions of Documents 5 and 9 fail to show the claimed "transferring the retrieved data to the client."

Accused Product(s)
NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
NICE cites to Document 5 for this claim limitation.
The cited portions of Documents 5 fail to show the claimed "retrieving stored data comprises accessing a record of an input channel made by said at least one digital logger."
NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claims I and 2, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
NICE cites to Document 5 for this claim limitation.
The cited portions of Documents 5 fail to show the claimed "retrieving stored data comprises accessing cal information for a record of an input channel."

6,870,920 Claims	Accused Product(s)
6. The method of claim 1 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of an input channel made by said at least one digital logger.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 5 and 9 for this claim limitation.  The cited portions of Documents 5 and 9 fail to
	show the claimed "Web Server."
•	The cited portions of Documents 5 and 9 fail to show the claimed "accessing archived data at the Web server."
7. A method for accessing information in a digital logging system storing data associated with input from a plurality of communication channels, comprising:	NICE listed the following "Accused Products" for the '920 Patent:  1) Witness ContactStore  2) Witness Quality for Communication Manager  3) Witness ContactStore for Communication Manager  4) Impact 360  NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the
	infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
receiving an information request from a user at a network server having access to a plurality of data records created by the	NICE cites to Document 5 for this claim limitation.
logging system, the records corresponding to data transmitted over a communication channel;	The cited portions of Document 5 fail to show the claimed "network server."

	6,870,920 Claims	Accused Product(s)
	providing to the user a description of services offered by the network server; receiving at the network server an indication of a service	NICE cites to Documents 2 and 5 for this claim limitation.
	selected by the user;	The cited portions of Documents 2 and 5 fail to show the claimed "network server."
	running at the network server of a software routine causing the server to elicit from the user one or more of the following: user	NICE cites to Document 5 for this claim limitation.
	information, user ID, authorization level, password and payment information; in response to the elicited user data providing	The cited portions of Document 5 fail to show the claimed "network server."
-	access to one or more stored records created by the logging system.	The cited portions of Document 5 fail to show the claimed "running at the network server of a software routine."
	9. The method of claim 7, wherein the network server is a Web server.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 7, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
		NICE cites to Document 5 for this claim limitation.
		The cited portions of Document 5 fail to show the claimed "network server."
::		The cited portions of Document 5 fail to show the claimed "Web server."

6,870,920 Claims	Accused Product(s)
10. The method of claim 9, wherein the user and the Web server communicate through a web browser.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claims 7 and 9, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5 and 10 for this claim limitation.
	The cited portions of Documents 5 and 10 fail to show the claimed "wherein the user and the Web server communicate through a web browser."
15. The method of claim 7, wherein at least some data records created by the logging system are archived at the network server.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 7, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 1 and 4 for this claim limitation.
	The cited portions of Documents 1 and 4 fail to show the claimed "at least some data records created by the logging system are archived at the network server."

6,870,920 Claims	Accused Product(s)
16. A method for accessing information	NICE listed the following "Accused Products"
stored by at least one digital logger storing	for the '920 Patent:
data associated with input from a plurality of	
communication channels, comprising:	1) Witness ContactStore
	2) Witness Quality for Communication Manager
•	3) Witness ContactStore for Communication
	Manager
•	4) Impact 360
·	NICE has failed, however, to specify particular
	products and versions of the "Accused
	Products' sufficient for Witness Systems to
	identify the particular products accused of
	infringement. NICE has also failed to present
	evidence on a claim-by-claim and element-by-
	element basis sufficient to establish
	infringement of each version of each Accused
·	Product. Witness responds below to the
	infringement contentions set forth in NICE's
	response to Witness' Interrogatory No. 13, on a
	claim-by-claim and element-by-element basis.
	1 7 7 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
at a Web server having access to said	NICE cites to Documents 2, 5, 9, and 10 for this
information stored by at least one digital	claim limitation.
logger over a communications network,	The cited portions of Documents 2, 5, 9, and 10
	fail to show the claimed "Web server."
,	Tall to Slight and Claimed 17 co 301 for
	The cited portions of Documents 2, 5, 9, and 10
	fail to show the claimed "receiving a request for
	retrieval of stored data from a client."
receiving a request for retrieval of stored data	The cited portions of Documents 2, 5, 9, and 10
from a user;	fail to show the claimed "receiving a request for
	retrieval of stored data from a client."
1	NICE cites to Documents 5 and 9 for this claim
retrieving said stored data from said information in accordance with the received	limitation.
	inneaton,
request;	The cited portions of Documents 5 and 9 fail to
1	show the claimed "retrieving stored data in
	accordance with the received request."
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6,870,920 Claims	Accused Product(s)
and transferring the retrieved data to the client.	NICE cites to Documents 5 and 9 for this claim limitation.
	The cited portions of Documents 5 and 9 fail to show the claimed "transferring the retrieved data to the client."
17. The method of claim 16 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least one digital logger.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 16, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 5 for this claim limitation.
	The cited portions of Document 5 fail to show the claimed "accessing a record of a communication channel made by at least one digital logger."
18. The method of claim 17 wherein the step of retrieving stored data comprises accessing call information for a record of a communication channel made by said at least one digital logger.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claims 17 and 18, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 5 for this claim limitation.
	The cited portions of Document 5 fail to show the claimed "accessing call information for a record of a communication channel made by said at least one digital logger."
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Accused Product(s)
NICE has failed to present evidence on a claim- by-claim and element-by-element basis
sufficient to establish infringement of claim 16,
from which the claim depends either directly or
indirectly. Accordingly, NICE has failed to show infringement of this claim.
NICE cites to Documents 5 and 9 for this claim limitation.
The cited portions of Documents 5 and 9 fail to show the claimed "accessing archived data at the Web server corresponding to a record of a communication channel made by said at least one digital logger."
NICE listed the following "Accused Products"
for the '920 Patent:
Witness ContactStore     Witness Quality for Communication Manager     Witness ContactStore for Communication     Manager     Manager     Impact 360
NICE has falled, however, to specify particular
products and versions of the "Accused
Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-
element basis sufficient to establish infringement of each version of each Accused
Product. Witness responds below to the
infringement contentions set forth in NICE's
response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.

6,870,920 Claims	Accused Product(s)
at a Web server having access to said at least one digital logger, receiving a request from a client for retrieval of stored data from one or	NICE cites to Documents 2, 5, 9, and 10 for this claim limitation.
more of a plurality of input channels;	The cited portions of Documents 2, 5, 9, and 10 fail to show the claimed "Web server."
	The cited portions of Documents 2, 5, 9, and 10 fail to show the claimed "receiving a request from a client for retrieval of stored data from one or more of a plurality of input channels."
retrieving data comprising said stored data in accordance with said received request;	NICE cites to Documents 5 and 9 for this claim limitation.
	The cited portions of Documents 5 and 9 fail to show the claimed "retrieving data comprising said stored data in accordance with said received request."
and transferring the retrieved data to the client.	NICE cites to Documents 5 and 9 for this claim limitation.
	The cited portions of Documents 5 and 9 fail to show the claimed "transferring the retrieved data to the client."
23. The method of claim 22 wherein the step of retrieving stored data comprises accessing a record of an input channel made by said at least one digital logger.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 22, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 5 for this claim limitation.
	The cited portions of Document 5 fail to show "retrieving stored data comprises accessing a record of an input channel made by said at least one digital logger."

6,870,920 Claims	Accused Product(s)
24. The method of claim 23 wherein the step of retrieving stored data comprises accessing call information for a record of an input channel made by said at least one digital logger.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claims 22 and 23, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	limitation.
	The cited portions of Document 5 fail to show "retrieving stored data comprises accessing call information for a record of an input channel made by said at least one digital logger."
25. The method of claim 24 wherein said call information comprises voice data.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claims 22, 23, and 24, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 5 for this claim limitation.
28. The method of claim 22 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of an input channel made by said at least one digital logger.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 22, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5 and 9 for this claim limitation.
	The cited portions of Documents 5 and 9 fail to show the claimed "accessing archived data at the Web server corresponding to a record of an input channel made by said at least one digital logger."

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Document2 9

6,959,079 Claims	Accused Product(s)
1. A monitoring system for monitoring	NICE lists the following "Accused Products"
interactions of an agent with customers	for the '079 Patent:
comprising:	
	1) eQuality ContactStore for IP
	2) eQuality ContactStore
	3) Witness Quality for Communication Manager
	4) Impact 360
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
a voice logger to receive and record audio of a telephone call of said agent;	NICE cites to Documents 5, 9 and 25 for this claim limitation.
a screen logger to receive and record video screen data associated with interactions of said agent with a computer during the	NICE cites to Documents 5, 9 and 25 for this claim limitation.
telephone call; and	The cited portions of Documents 5, 9 and 25 fail to show "a screen logger to receive and record video screen data,"
an event manager to determine whether said interactions with the computer during the telephone call meet at least one predefined	NICE cites to Documents 5, 9 and 25 for this claim limitation.
monitoring condition.	The cited portions of Documents 5, 9 and 25 fail to show "an event manager to determine whether said interactions with the computer during the telephone call meet at least one
	predefined monitoring condition."

6,959,079 Claims	Accused Product(s)
5. The monitoring system of claim 1, further comprising: an evaluator coupled to said voice logger and to said screen logger to enable design of evaluation forms.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 9, 37, and 38 for this claim limitation.
	The cited portions of Documents 5, 9, 37, and 38 fail to show the claimed "evaluator coupled to said voice logger and said screen logger".
6. The monitoring system of claim 5, wherein said evaluator is able to perform automated evaluations based on predefined programming.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claims I and 5, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 38 and 39 for this claim limitation.
	The cited portions of Documents 38 and 39 fail to show the claimed "automated evaluations".

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Document2 10

7,010,109 Claims	Accused Product(s)
1. A method for recording at least a portion of one or more of a plurality of IP data sessions, each being between at least a first communication device and a second communication device through a network by a recording device, comprising for each IP data session:	NICE lists the following "Accused Products" for the '109 Patent:  1) Witness ContactStore  2) Witness Quality For Communication Manager  3) Witness Contact Store For Communication Manager  4) Impact 360
	NICE has failed, however, to specify particular products and versions of the "Accused Products" sufficient for Witness Systems to identify the particular products accused of infringement. NICE has also failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of each version of each Accused Product. Witness responds below to the infringement contentions set forth in NICE's response to Witness' Interrogatory No. 13, on a claim-by-claim and element-by-element basis.
initiating the data session by said first communication device with said second communication device;	NICE cites to Documents 10, 14 and 26 for this claim limitation.
implementing the data session as a conference call through a conference controller such that said first and second communication devices are connected, respectively, as first and second participants;	NICE cites to Documents 10, 14 and 26 for this claim limitation.  The cited portions of Documents 10, 14 and 26 fail to show the claimed "conference controller."
	The cited portions of Documents 10, 14 and 26 fail to show the claimed "implementing the data session as a conference call through a conference controller."

7,010,109 Claims	Accused Product(s)
using the conference controller, selectively	NICE cites to Documents 14 and 26 for this
entering the recording device to said	claim limitation.
conference call as an additional participant,	'
wherein the recording device is distinct from	Documents 14 and 26 fail to show the claimed
the first and second communication devices	"recording device."
yet receives as the additional participant at	
least the portion of the IP data session from	The cited portions of Documents 14 and 26 fail
each of the first and second participants; and	to show the claimed "conference controller."
	The cited portions of Documents 14 and 26 fail to show the claimed "using the conference controller, selectively entering the recording device to said conference call as an additional participant."
	The cited portions of Documents 14 and 26 fail to show the claimed "receives as the additional participant at least the portion of the IP data session from each of the first and second participants."
recording at least the portion of the IP data	NICE cites to Documents 14 and 26 for this
session received as the additional participant	claim limitation.
of said conference call using said recording	
device.	The cited portions of Documents 14 and 26 fail
	to show the claimed "recording device."
2. The method of claim 1, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 10, 14 and 26 for this claim limitation.
	The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant when a data session has been initiated."

7,010,109 Claims	Accused Product(s)
3. The method of claim 1, including the additional step of permitting a user of at least one of the first and second communication devices to determine whether the session is to be recorded prior to entering the recording device as the additional participant.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 14, 26, and 34 for this claim limitation.
	The cited portions of Documents 14, 26 and 34 fail to show the claimed "entering the recording device as the additional participant."
4. The method of claim 1, wherein the connection of the second communication device is established by the conference controller by: passing telephone numbers to a gatekeeper for performing IP address resolution, and using a resolved IP address of the second communication device for	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
connecting the second communication device to the conference call.	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "connecting the second communication device to the conference call."
5. The method of claim 1, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded."

7,010,109 Claims	Accused Product(s)
6. The method of claim 5, including the additional step of providing the command from a scheduler.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
7. The method of claim 6, including the additional step of locating the scheduler with the recording device.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.  The cited portions of Documents 5, 32, 40 and 41 fail to show the claimed "locating the scheduler with the recording device."
8. The method of claim 6, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim I, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.

7,010,109 Claims	Accused Product(s)
9. The method of claim 8, wherein the information includes the identity of at least one of the first and second communication devices.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show
10. The method of claim 1, wherein the IP data session is either an IP telephony session or an IP multimedia session.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fail to show the claimed "either an IP telephony session or an IP multimedia session."
11. The method of claim 1, wherein the step of initiating the data session is detected by a recording agent, and wherein said recording agent contacts the recording device.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show the claimed "detected by a recording agent, and wherein said recording agent contacts the recording device."

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7,010,109 Claims	Accused Product(s)
19. The method of claim 18, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14 and 26 for this claim limitation.
	The cited portions of Documents 10, 14, and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant when a data session has been initiated."
21. The method of claim 18, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	One or more of the Accused Products do not include, either literally or under the doctrine of equivalents, the claimed "command that the data session is to be recorded."  NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded."
22. The method of claim 21, including the additional step of providing the command from a scheduler.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.

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7,010,109 Claims	Accused Product(s)
23. The method of claim 22, including the additional step of locating the scheduler with the recording device.	NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.  The cited portions of Documents 5, 32, 40 and 41 fail to show the claimed "locating the scheduler with the recording device."
24. The method of claim 22, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
25. The method of claim 24, wherein the information includes the identity of at least one of the first and second communication devices.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show the claimed "information."

7,010,109 Claims	Accused Product(s)
26. The method of claim 18, wherein the step of initiating the data session is detected by a recording agent, and wherein said recording agent contacts the recording device.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "detected by a recording agent, and wherein said recording agent contacts the recording device."
28. The method of claim 26, wherein the conference controller implements said conference call in response to a request to initiate the conference call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed the claimed "conference controller implements said conference call in response to a request to initiate the conference call."
29. The method of claim 18, wherein the recording device joins the data session performed through a hunt group.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 4 and 14 for this claim limitation.  The cited portions of Documents 4 and 14 fail to show the claimed "recording device joins the data session performed through a hunt group."

7,010,109 Claims	Accused Product(s)
30. The method of claim 29, including the additional step of identifying the hunt group using a gatekeeper.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 4 and 14 for this claim limitation.  The cited portions of Documents 4 and 14 fail to show the claimed "identifying the hunt group using a gatekeeper."
31. The method of claim 1, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14 and 26 for this claim limitation.  The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant when a data session has been initiated."

7 010 100 Claims	Accused Product(s)
7,010,109 Claims  32. The method of claim 31, wherein the recording device is directed to enter said conference call in response to a command that the data session is to be recorded.	NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show the claimed "recording device is directed to enter said conference call in response to a command that the data session is to be recorded."
33. The method of claim 32, including the additional steps of: providing the command from a scheduler; and analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 31, 40 and 41 for this claim limitation.
34. The method of claim 33, wherein the information includes the identity of at least one of the first and second communication devices.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show the claimed "information."

	A served Dundwat(s)
7,010,109 Claims	Accused Product(s)  NICE has failed to present evidence on a claim-
35. The method of claim 1, wherein the step	by-claim and element-by-element basis
of selectively entering the recording device to	sufficient to establish infringement of claim 1,
said conference call includes the step of	from which the claim depends either directly or
directing the recording device to enter said	indirectly. Accordingly, NICE has failed to
conference call as the additional participant in response to a command that the data session is	show infringement of this claim.
to be recorded.	3104 Hithigomone of this other.
to be recorded.	NICE cites to Documents 10, 14 and 26 for this
	claim limitation.
	Viciniti Immironi
	The cited portions of Documents 10, 14 and 26
	fail to show the claimed "directing the recording
	device to enter said conference call as the
	additional participant in response to a command
	that the data session is to be recorded."
36. The method of claim 35, including the-	NICE has failed to present evidence on a claim-
additional steps of: providing the command	by-claim and element-by-element basis
from a scheduler; and analyzing information	sufficient to establish infringement of claim 1,
about the IP data session at the scheduler to	from which the claim depends either directly or
determine whether the IP data session is to be	indirectly. Accordingly, NICE has failed to show infringement of this claim.
recorded.	snow intringement of this claim.
•	NICE cites to Documents 5, 32, 40 and 41 for
	this claim limitation.
37. The method of claim 36, wherein the	NICE has failed to present evidence on a claim-
information includes the identity of at least	by-claim and element-by-element basis
one of the first and second communication	sufficient to establish infringement of claim 1,
devices.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Documents 14 for this claim
	limitation.
	Introduction.
	The cited portion of Document 14 fails to show
	the claimed "information."

to the conference call.

#### Accused Product(s) 7,010,109 Claims NICE has failed to present evidence on a claim-38. The method of claim 1, including the by-claim and element-by-element basis additional steps of: detecting the step of sufficient to establish infringement of claim 1, initiating the data session using a recording from which the claim depends either directly or agent, contacting the recording device using indirectly. Accordingly, NICE has failed to the recording agent, and receiving a request to show infringement of this claim. initiate the conference call and performing the implementing step in response to the request, NICE cites to Documents 10, 14 and 26 for this wherein the step of selectively entering the claim limitation. recording device to said conference call includes the step of directing the recording The cited portion of Document 14 fails to show device to enter said conference call as the the claimed "detecting the step of initiating the additional participant when a data session has data session using a recording agent." been initiated. The cited portion of Document 14 fails to show the claimed "contacting the recording device using the recording agent." The cited portion of Document 14 fails to show the claimed "performing the implementing step in response to the request." The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant when a data session has been initiated." NICE has failed to present evidence on a claim-39. The method of claim 38, including the by-claim and element-by-element basis additional steps of passing telephone numbers sufficient to establish infringement of claim 1, to a gatekeeper for performing IP address resolution and using a resolved IP address of from which the claim depends either directly or indirectly. Accordingly, NICE has failed to the second communication device in connecting the second communication device show infringement of this claim.

limitation.

NICE cites to Document 14 for this claim

the claimed "connecting the second

The cited portion of Document 14 fails to show.

communication device to the conference call."

7,010,109 Claims	Accused Product(s)
40. The method of claim 38, wherein the	NICE has failed to present evidence on a claim- by-claim and element-by-element basis
recording device is directed to enter said	sufficient to establish infringement of claim 1,
conference call in response to a command that	from which the claim depends either directly or
the data session is to be recorded.	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	show intringentent of this claim.
	NICE cites to Document 14 for this claim
	limitation.
	Innation.
	The cited portion of Document 14 fails to show
	the claimed "recording device is directed to
	enter said conference call in response to a
	command that the data session is to be
	recorded."
41. The method of claim 38, including the	NICE has failed to present evidence on a claim-
additional steps of: providing the command	by-claim and element-by-element basis
from a scheduler; and analyzing information	sufficient to establish infringement of claim 1,
about the IP data session at the scheduler to	from which the claim depends either directly or
determine whether the IP data session is to be	indirectly. Accordingly, NICE has failed to
recorded.	show infringement of this claim.
1	NICE cites to Documents 5, 32, 40 and 41 for
	this claim limitation.
	die class infractor.
42. The method of claim 41, wherein the	NICE has failed to present evidence on a claim-
information includes the identity of at least	by-claim and element-by-element basis
one of the first and second communication	sufficient to establish infringement of claim 1,
devices.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Document 14 for this claim
· [·	limitation.
	The cited portion of Document 14 fails to show
	the claimed "information."
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## U.S. Pat. No. 7,010,109 Rouliningement Claim Chart

7,010,109 Claims

43. The method of claim 1, wherein the step of selectively entering the recording device to said conference call includes the steps of: identifying a hunt group using a gatekeeper; directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded; and joining the recording device to the data session through the hunt group.

NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.

Accused Product(s)

NICE cites to Documents 4, 10, 14 and 26 for this claim limitation.

The cited portions of Documents 4 and 14 fail to show the claimed "identifying the hunt group using a gatekeeper."

The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded."

The cited portions of Documents 4 and 14 fail to show the claimed "joining the recording device to the data session through the hunt group."

44. The method of claim 43, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call.

NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.

NICE cites to Document 14 for this claim limitation.

The cited portion of Document 14 fails to show the claimed "connecting the second communication device to the conference call."

7,010,109 Claims	Accused Product(s)
45. The method of claim 43, wherein the	NICE has failed to present evidence on a claim-
recording device is directed to enter said	by-claim and element-by-element basis
conference call in response to a command that	sufficient to establish infringement of claim 1,
the data session is to be recorded.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to show infringement of this claim.
•	Show mittingement of this crant.
	NICE cites to Document 14 for this claim
	limitation.
	The cited portion of Document 14 fails to show
	the claimed "recording device is directed to
	enter said conference call in response to a
•	command that the data session is to be
	recorded."
<u> </u>	
46. The method of claim 45, including the	NICE has failed to present evidence on a claim-
additional steps of: providing the command	by-claim and element-by-element basis
from a scheduler, and analyzing information	sufficient to establish infringement of claim 1, from which the claim depends either directly or
about the IP data session at the scheduler to	indirectly. Accordingly, NICE has failed to
determine whether the IP data session is to be	show infringement of this claim.
recorded.	
	NICE cites to Documents 5, 32, 40 and 41 for
	this claim limitation.
47. The method of claim 46, wherein the	NICE has failed to present evidence on a claim-
information includes the identity of at least	by-claim and element-by-element basis
one of the first and second communication	sufficient to establish infringement of claim 1,
devices.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Document 14 for this claim
	limitation.
\$ 1. S.	Introduction
	The cited portion of Document 14 fails to show
	the claimed "information."

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Total day of 1	3
7,010,109 Claims	Accused Product(s)
using the conference controller, selectively	NICE cites to Documents 14 and 26 for this claim limitation.
entering the recording device to said	claim limitation.
conference call as an additional participant,	mt. V. I. W. CD
wherein the recording device is distinct from	The cited portions of Documents 14 and 26 fail
the first and second communication devices	to show the claimed "recording device."
yet receives as the additional participant at	The sited westime of December 14 and 16 fail
least the portion of the IP data session from	The cited portions of Documents 14 and 26 fail to show the claimed "conference controller."
each of the first and second participants; and	to show the claimed conference controller.
,	The cited portions of Documents 14 and 26 fail to show the claimed "using the conference controller, selectively entering the recording device to said conference call as an additional participant."
	The cited portions of Documents 14 and 26 fail
	to show the claimed "receives as the additional
	participant at least the portion of the IP data session from each of the first and second
	participants."
	hat was bearing
recording at least the portion of the IP data	NICE cites to Documents 14 and 26 for this
session received as the additional participant	claim limitation.
of said conference call using said recording	
device.	The cited portions of Documents 14 and 26 fail
	to show the claimed "recording device."
-	
49. The method of claim 48, wherein the step	NICE has failed to present evidence on a claim-
of selectively entering the recording device to	by-claim and element-by-element basis
said conference call includes the step of	sufficient to establish infringement of claim 48, from which the claim depends either directly or
directing the recording device to enter said conference call as the additional participant	indirectly. Accordingly, NICE has failed to
when a data session has been initiated.	show infringement of this claim.
Milen a data session has been unfitted.	Mon management of the ordin
1	NICE cites to Documents 10, 14 and 26 for this
	claim limitation.
	The cited portions of Documents 10, 14 and 26
	fail to show the claimed "directing the recording
	device to enter said conference call as the
	additional participant when a data session has
1	been initiated."
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	A coursed Danger (4/2)
7,010,109 Claims	Accused Product(s)
50. The method of claim 48, including the additional step of permitting a user of at least one of the first and second communication devices to determine whether the session is to be recorded prior to entering the recording device as the additional participant.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 14, 26 and 34 for this claim limitation.
	The cited portions of Documents 14, 26 and 34 fail to show the claimed "entering the recording device as the additional participant."
51. The method of claim 48, wherein the connection of the second communication device is established by the conference controller by: passing telephone numbers to a gatekeeper for performing IP address resolution, and using a resolved IP address of the second communication device for	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
connecting the second communication device to the conference call.	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "connecting the second communication device to the conference call."
52. The method of claim 48, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded."

7,010,109 Claims	Accused Product(s)
53. The method of claim 52, including the additional step of providing the command from a scheduler.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
54. The method of claim 53, including the additional step of locating the scheduler with the recording device.	NICE has failed to present evidence on a claimby-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.  The cited portions of Documents 5, 32, 40 and 41 fail to show the claimed "locating the scheduler with the recording device."
55. The method of claim 53, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 4, 32, 40 and 41 for
	this claim limitation.

7,010,109 Claims	Accused Product(s)
56. The method of claim 55, wherein the information includes the identity of at least one of the first and second communication devices.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show the claimed "information."
57. The method of claim 48, wherein the IP data session is either an IP telephony session or an IP multimedia session.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fail to show the claimed "either an IP telephony session or an IP multimedia session."
58. The method of claim 48, wherein the step of initiating the data session is detected by a recording agent, and wherein said recording agent contacts the recording device.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.  The cited portion of Document 14 fails to show the claimed "detected by a recording agent, and wherein said recording agent contacts the recording device."

7 010 100 Claims	Accused Product(s)
7,010,109 Claims  60. The method of claim 48, wherein the	NICE has failed to present evidence on a claim-
conference controller implements said	by-claim and element-by-element basis
conference call in response to a request to	sufficient to establish infringement of claim 48,
initiate the conference call.	from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "the conference controller implements said conference call in response to a request to initiate the conference call."
61. The method of claim 60, wherein the	NICE has failed to present evidence on a claim-
request is from at least one of the recording	by-claim and element-by-element basis
device, the first communication device, the	sufficient to establish infringement of claim 48,
second communication device, and an other component on the network.	from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 9 and 14 for this claim limitation.
62. The method of claim 48, wherein said first	NICE has failed to present evidence on a claim-
communication device is a gateway for receiving communication through a PSTN.	by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 43 and 44 for this claim limitation.

7,010,109 Claims	Accused Product(s)
63. The method of claim 48, wherein the recording device joins the data session performed through a hunt group.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 4 and 14 for this claim limitation.  The cited portions of Documents 4 and 14 fail
	to show the claimed "recording device joins the data session performed through a hunt group."
64. The method of claim 63, including the additional step of identifying the hunt group using a gatekeeper.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 4 and 14 for this claim limitation.
	The cited portions of Documents 4 and 14 fail to show the claimed "identifying the hunt group using a gatekeeper."
65. The method of claim 48, wherein at least one of the first communication device and the second communication device is a non-IP telephony device.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 9, 40 and 45 for this claim limitation.

	Accused Product(s)
7,010,109 Claims  66. The method of claim 63, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14 and 26 for this claim limitation.
	The cited portions of Documents 10, 14, and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant when a data session has been initiated."
68. The method of claim 65, wherein the step of selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "selectively entering the recording device to said conference call is in response to a command that the data session is to be recorded."
69. The method of claim 68, including the additional step of providing the command from a scheduler.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.

7,010,109 Claims	Accused Product(s)
70. The method of claim 69, including the additional step of locating the scheduler with the recording device.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
	The cited portions of Documents 5, 32, 40 and 41 fail to show the claimed "locating the scheduler with the recording device."
71. The method of claim 69, including the additional step of analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
72. The method of claim 71, wherein the information includes the identity of at least one of the first and second communication devices.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "information."

7,010,109 Claims	Accused Product(s)	
73. The method of claim 65 wherein the step	NICE has failed to present evidence on a claim-	
of initiating the data session is detected by a	by-claim and element-by-element basis	
recording agent, and wherein said recording	sufficient to establish infringement of claim 48,	
agent contacts the recording device.	from which the claim depends either directly or	
	indirectly. Accordingly, NICE has failed to	
	show infringement of this claim.	
	NICE cites to Document 14 for this claim	
	limitation.	
]	minumpor.	
	The cited portion of Document 14 fails to show	
	the claimed "detected by a recording agent, and	
	wherein said recording agent contacts the	
,	recording device."	
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75. The method of claim 73, wherein the	NICE has failed to present evidence on a claim-	
conference controller implements said	by-claim and element-by-element basis	
conference call in response to a request to	sufficient to establish infringement of claim 48,	
initiate the conference call.	from which the claim depends either directly or	
•	indirectly. Accordingly, NICE has failed to	
· •	show infringement of this claim.	
· ·		
	NICE cites to Document 14 for this claim	
	limitation.	
	The cited portion of Document 14 fails to show	
	the claimed the claimed "conference controller	
	implements said conference call in response to a	
. '	request to initiate the conference call."	
76. The method of claim 65, wherein the	NICE has failed to present evidence on a claim-	
recording device joins the data session	by-claim and element-by-element basis	
performed through a hunt group.	sufficient to establish infringement of claim 48,	
. ]	from which the claim depends either directly or	
	indirectly. Accordingly, NICE has failed to	
	show infringement of this claim.	
	Provide the measure of any agentie.	
	NICE cites to Documents 4 and 14 for this	
	claim limitation.	
	Gaun Innitation.	
	The cited portions of Documents 4 and 14 fall	
;	to show the claimed "recording device joins the	
	data session performed through a hunt group."	

7,010,109 Claims	Accused Product(s)
77. The method of claim 76, including the additional step of identifying the hunt group using a gatekeeper.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 4 and 14 for this claim limitation.  The cited portions of Documents 4 and 14 fail to show the claimed "identifying the hunt group
78. The method of claim 48, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call, wherein the step of selectively entering the recording device to said conference call includes the step of directing the recording device to enter said conference call as the additional participant when a data session has been initiated.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 10, 14 and 26 for this claim limitation.  The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant when a data session has been initiated."

7,010,109 Claims	Accused Product(s)
79. The method of claim 78, wherein the	NICE has failed to present evidence on a claim-
recording device is directed to enter said	by-claim and element-by-element basis sufficient to establish infringement of claim 48,
conference call in response to a command that the data session is to be recorded.	from which the claim depends either directly or
the data session is to be recorded.	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Documents 14 for this claim
	limitation.
	The cited portion of Document 14 fails to show
. , ,	the claimed "recording device is directed to
•	enter said conference call in response to a
•	command that the data session is to be recorded."
<u>'</u>	recorded.
80. The method of claim 79, including the	NICE has failed to present evidence on a claim-
additional steps of: providing the command	by-claim and element-by-element basis
from a scheduler; and analyzing information	sufficient to establish infringement of claim 48,
about the IP data session at the scheduler to determine whether the IP data session is to be	from which the claim depends either directly or indirectly. Accordingly, NICE has failed to
recorded.	show infringement of this claim.
Touchast.	
	NICE cites to Documents 5, 32, 40 and 41 for
	this claim limitation.
81. The method of claim 80, wherein the	NICE has failed to present evidence on a claim-
information includes the identity of at least	by-claim and element-by-element basis
one of the first and second communication	sufficient to establish infringement of claim 48,
devices.	from which the claim depends either directly or
	indirectly. Accordingly, NICE has failed to
, ;	show infringement of this claim.
	NICE cites to Document 14 for this claim
	limitation.
	The cited portion of Document 14 fails to show
4	the claimed "information."
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# 646 486 CT-1	Accused Product(s)
7,010,109 Claims	NICE has failed to present evidence on a claim-
82. The method of claim 48, wherein the step of selectively entering the recording device to	by-claim and element-by-element basis
said conference call includes the step of	sufficient to establish infringement of claim 48,
Said conference call includes the step of	from which the claim depends either directly or
directing the recording device to enter said	indirectly. Accordingly, NICE has failed to
conference call as the additional participant in response to a command that the data session is	show infringement of this claim.
to be recorded.	Most Billitigometic of and organi
to be recorded.	NICE cites to Documents 10, 14 and 26 for this
	claim limitation.
	VANIMA IMPARTMENT
	The cited portions of Documents 10, 14 and 26
	fail to show the claimed "directing the recording
	device to enter said conference call as the
·	additional participant in response to a command
	that the data session is to be recorded."
83. The method of claim 82, including the	NICE has failed to present evidence on a claim-
additional steps of: providing the command	by-claim and element-by-element basis
from a scheduler; and analyzing information	sufficient to establish infringement of claim 48,
about the IP data session at the scheduler to	from which the claim depends either directly or
determine whether the IP data session is to be	indirectly. Accordingly, NICE has failed to
recorded.	show infringement of this claim.
	NOT -14 4- December 6 22 40 and 41 for
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
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84. The method of claim 83, wherein the	NICE has failed to present evidence on a claim-
information includes the identity of at least	by-claim and element-by-element basis
one of the first and second communication	sufficient to establish infringement of claim 48,
devices.	from which the claim depends either directly or
. daytees.	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	<u>-</u>
	NICE cites to Document 14 for this claim
	limitation.
	1
	The cited portion of Document 14 fails to show
1	the claimed "information."

7,010,109 Claims	Accused Product(s)
85. The method of claim 48, including the	NICE has failed to present evidence on a claim-
additional steps of: detecting the step of	by-claim and element-by-element basis
initiating the data session using a recording	sufficient to establish infringement of claim 48,
agent, contacting the recording device using	from which the claim depends either directly or
the recording agent, and receiving a request to	indirectly. Accordingly, NICE has failed to
initiate the conference call and performing the	show infringement of this claim.
implementing step in response to the request,	NIGE A LOCALITY
wherein the step of selectively entering the	NICE cites to Documents 10, 14 and 26 for this claim limitation.
recording device to said conference call includes the step of directing the recording	Civilin innitiation.
device to enter said conference call as the	The cited portion of Document 14 fails to show
additional participant when a data session has	the claimed "detecting the step of initiating the
been initiated.	data session using a recording agent."
boot madioa.	dam session dame a recording agent
	The cited portion of Document 14 fails to show
4	the claimed "contacting the recording device
	using the recording agent."
j	
·	The cited portion of Document 14 fails to show
	the claimed "performing the implementing step
<u> </u>	in response to the request."
1	The cited nections of Decomposes ID 14 and 26
	The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording
	device to enter said conference call as the
4	additional participant when a data session has
•	been initiated."
86. The method of claim 85, including the	NICE has failed to present evidence on a claim-
additional steps of passing telephone numbers	by-claim and element-by-element basis
to a gatekeeper for performing IP address	sufficient to establish infringement of claim 48,
resolution and using a resolved IP address of	from which the claim depends either directly or
the second communication device in	indirectly. Accordingly, NICE has failed to
connecting the second communication device to the conference call.	show infringement of this claim.
To the contention only.	NICE cites to Document 14 for this claim
	limitation.
	The cited portion of Document 14 fails to show
	the claimed "connecting the second
	communication device to the conference call."

7,010,109 Claims	Accused Product(s)
87. The method of claim 85, wherein the	NICE has failed to present evidence on a claim-
recording device is directed to enter said	by-claim and element-by-element basis
conference call in response to a command that	sufficient to establish infringement of claim 48,
the data session is to be recorded.	from which the claim depends either directly or
the data session is to be recorded.	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	NICE cites to Document 14 for this claim
	limitation.
•	The cited portion of Document 14 fails to show
: •	the claimed "recording device is directed to
	enter said conference call in response to a
	command that the data session is to be
	recorded."
88. The method of claim 85, including the	NICE has failed to present evidence on a claim-
additional steps of: providing the command	by-claim and element-by-element basis
from a scheduler; and analyzing information	sufficient to establish infringement of claim 48,
about the IP data session at the scheduler to	from which the claim depends either directly or
determine whether the IP data session is to be	indirectly. Accordingly, NICE has failed to
recorded.	show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for
	this claim limitation.
89. The method of claim 88, wherein the	NICE has failed to present evidence on a claim
information includes the identity of at least	by-claim and element-by-element basis
one of the first and second communication	sufficient to establish infringement of claim 48
devices.	from which the claim depends either directly o
	indirectly. Accordingly, NICE has failed to
	show infringement of this claim.
	A STORY To a A. Da manage 14 for this plains
	NICE cites to Document 14 for this claim
	limitation.
	my that a star of Deniment 14 falls to show
	The cited portion of Document 14 fails to show
	the claimed "information."
	and the contract of the contra

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7,010,109 Claims	Accused Product(s)	
7,010,109 Claims  90. The method of claim 48, wherein the step of selectively entering the recording device to said conference call includes the steps of: identifying a hunt group using a gatekeeper; directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded; and joining the recording device to the data session through the hunt group.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 4 and 14 for this claim limitation.  The cited portions of Documents 4 and 14 fail to show the claimed "identifying the hunt group using a gatekeeper."  The cited portions of Documents 10, 14 and 26 fail to show the claimed "directing the recording device to enter said conference call as the additional participant in response to a command that the data session is to be recorded."	
	The cited portions of Documents 4 and 14 fail to show the claimed "joining the recording device to the data session through the hunt group."	
91. The method of claim 90, including the additional steps of passing telephone numbers to a gatekeeper for performing IP address resolution and using a resolved IP address of the second communication device in connecting the second communication device to the conference call.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.	
	NICE cites to Document 14 for this claim limitation.	
	The cited portion of Document 14 fails to show the claimed "connecting the second communication device to the conference call."	

7,010,109 Claims	Accused Product(s)
92. The method of claim 90, wherein the	NICE has failed to present evidence on a claim-
recording device is directed to enter said	by-claim and element-by-element basis
conference call in response to a command that the data session is to be recorded.	sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "recording device is directed to enter said conference call in response to a command that the data session is to be recorded."
93. The method of claim 92, including the additional steps of, providing the command from a scheduler; and analyzing information about the IP data session at the scheduler to determine whether the IP data session is to be recorded.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Documents 5, 32, 40 and 41 for this claim limitation.
94. The method of claim 93, wherein the information includes the identity of at least one of the first and second communication devices.	NICE has failed to present evidence on a claim- by-claim and element-by-element basis sufficient to establish infringement of claim 48, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.
	NICE cites to Document 14 for this claim limitation.
	The cited portion of Document 14 fails to show the claimed "information."

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# EXHIBIT B

'738 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 4,995,054 to Boyd, Jr. et al., issued September 4, 1990, filed October 5, 1988. (WSNSDE0044270-76)	
	D2: U.S. Patent No. 4,817,086 to Oye et al., issued March 18, 1989, filed August 27, 1986. (WSNSDE0044254-69)	
i	D3: U.S. Patent No. 4,573,140 to Szeto, issued February 25, 1986, filed March 30, 1983. (WSNSDE0002435-49)	
A digital modular voice processing system comprising:		Claim 1 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with D2.
a) a host computer having a host processor, and a storage medium, a memory and a bus interface in communication with said host processor,	D1: Figure 5; column 3, lines 23-24; column 5, lines 47-48.	It is well known that PC-AT computers include a processor, storage medium, and a bus interface.
b) a first bus in communication with said bus interface,	D1: Figure 5; column 5, lines 47-48.	
c) a voice processing card having at least one digital signal processor and at least one application processor in communication with said at least one digital signal processor, a first interface providing communication between said at least one application processor and said first bus, and a first time division multiplexer chip in communication with said at least one digital signal processor,	D1: Figure 5; Figure 6; Figure 8; column 4, lines 35-40; column 5, lines 43-67; column 3, lines 7-9.  D2: Figure 1; Figure 3; column 3, lines 68-61; column 7, lines 62-65.	D1 discloses each of the recited claim elements. The location of these chips is merely a matter of design choice.  DS1/T1 lines are well known to be time division multiplexed (TDM). The switch line interface of D1 is a TDM chip.  It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors 10 and signal processors 13.
d) a second bus in	D1: Figure 1; Figure 5; Figure	

'738 Claim	Prior Art Reference(s)	Invalidity Bases
communication with said	6; Figure 8; column 6, lines	
first time division	25-27.	
multiplexer chip, and	•	
e) at least one audio card	D1: Figure 1; Figure 2, Figure	DS1/T1 lines are well known to be TDM:
including a second time	5; Figure 6; column 2, lines	The DS1 line interface of D1 is a TDM
division multiplexer chip	29-39; column 4, lines 62-68.	chip.
that communicates with		
said second bus, an audio	D2: Figure 1; Figure 3;	
processor in	column 3, lines 68- 61;	
communication with said	column 7, lines 62-65.	
second time division		
multiplexer chip, and a second interface in	ļ	
communication with said		
audio processor, said		
second interface having a	į	
plurality of ports that	1	
provide communication		
with communication lines.		
2. The system of claim 1	D1: Figure 5 (indicating the	Claim 2 is invalid under 35 U.S.C. § 103
wherein said voice	number of interface	over D1, or in the alternative, 35 U.S.C. §
processing card includes	processors 10, signal	103 over D1 in combination with D2.
two application processors,		
two first interfaces each in	processors 15 that are	Choosing the number of application processors, the number of digital signal
communication with an	included in the described	processors, and the resulting ratio is merely
application processor on a	system.)	a matter of design choice.
one to one basis and two pairs of digital signal	1	a matter of design briston.
pants of digital signal	1	It would have been obvious to one of
communication with one		ordinary skill in the art to include the TDM
of said application	}	bus and interface of D2 between the
processors on a one to one	)	interface processor and signal processor of
basis, each of said voice		D1 to efficiently move large amounts of
processors being in		data between the two components using a
communication with said		single wire. This reduces the number of
first time division		multiple channels needed between the
multiplexer chip.		interface processors 10 and signal
	1	processors 13.
3. The system of claim 2	D1: Figure 5; column 5, lines	Claim 3 is invalid under 35 U.S.C. § 103
wherein said storage	47-48.	over D1, or in the alternative, 35 U.S.C. §
medium is a storage disk.	1	103 over D1 in combination with D2.
	· ·	It would have been obvious to one of
		ordinary skill in the art to include the TDM
1	•	bus and interface of D2 between the
		interface processor and signal processor of
		D1 to efficiently move large amounts of
<u> </u>		data between the two components using a
		single wire. This reduces the number of
		multiple channels needed between the interface processors 10 and signal
		1 ministrace bionessors to sito sixusi

· '738 Claim	Prior Art Reference(s)	Invalidity Bases
		processors 13.
4. The system of claim 1 wherein said second interface of sald audio card has means for converting analogue signals received from said ports to digital signals and converting digital data received data [sic] received from said audio processor to analog signals.	D1: column 1, lines 8-22.  D3: Figure 3; column 3, lines 42-46; column 6, lines 12-18.	Claim 4 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with either or both of D2 and D3.  The conversion of analog signals to digital signals (A/D) and digital to analog (D/A) is/was well known. All voice signals are by definition analog when spoken and require A/D conversion before being digitally processed. For playback of recorded data a D/A conversion is required to permit human recognition of a voice signal. It would therefore be obvious to one of ordinary skill in the art that A/D and D/A conversions would be performed in a telecommunications system according to D1.  It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors 10 and signal processors 13.  It would have been obvious to one of ordinary skill in the art to include the A/D and D/A converters of D3 with the digital communications system of D1 to enable D1 to receive analog voice input and transmit
5. The system of claim 4 wherein said signal processor has means for performing voice compression and expansion, automatic gain control, dual tone multifrequency extraction and voice activated operations.	D1; column 1, lines 14-16; column 3, lines 20-24; column 5, lines 34-36.	analog voice output.  Claim 5 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with either or both of D2 and D3.  Using a digital signal processor to perform automatic gain control is/was well known.  It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of

'738 Claim	Prior Art Reference(s)	Invalidity Bases
		multiple channels needed between the interface processors 10 and signal processors 13.
		It would have been obvious to one of ordinary skill in the art to include the A/D and D/A converters of D3 with the digital communications system of D1 to enable D1 to receive analog voice input and transmit analog voice output.
6. The system of claim 5 wherein said application processor includes means for performing dictation, transcription, voice mail, voice response and	D1: column 3, line 62 — column 4, line 5.	Claim 6 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with elther or both of D2 and D3.  It would have been obvious to one of
medical records.		ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors 10 and signal processors 13.
		It would have been obvious to one of ordinary skill in the art to include the A/D and D/A converters of D3 with the digital communications system of D1 to enable D1 to receive analog voice input and transmit analog voice output.
7. The system of claim 1 including a housing, said host computer, said first	D1; column 6, lines 13-14.	Claim 7 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with D2.
bus, said at least one voice processing card, said second bus, and said at least one audio card being supported by said housing		Housings for telecommunications components are/were well known, as are/were their ability to provide support for the components housed therein.
and said at least one voice processing card and said at least one audio card are physically and electrically connected, and said host computer is logically connected to said voice processing card and to said at least one audio card.	A constant of	It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors 10 and signal processors 13.

'738 Claim	Prior Art Reference(s)	Invalidity Bases
		It would have been obvious to one of ordinary skill in the art to include the A/D and D/A converters of D3 with the digital communications system of D1 to enable D1 to receive analog voice input and transmit analog voice output.
10. The system of claim 8 wherein said voice data processing means performs voice compression and expansion; automatic gain control, extracts dual tone multi-frequency extraction and voice activated operations.	D1: column 1, lines 14-16; column 3, lines 20-24; column 5, lines 34-36.	Claim 10 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with either or both of D2 and D3.  Using a digital signal processor to perform automatic gain control is/was well known.  It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors 10 and signal processors 13.
	-	It would have been obvious to one of ordinary skill in the art to include the A/D and D/A converters of D3 with the digital communications system of D1 to enable D1 to receive analog voice input and transmit analog voice output.

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'371 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Racal Rapidax, sold in the U.S. as of at least December 21, 1992.	
	D2: "Racal's 'Rapidax' Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions." (NSDE008300- 008302) (evidencing the hardware of the D1 sale).	
	D3: "Rapidax Access Voice Logging Recorder." (NSDE008312-008319) (evidencing the hardware of the D1 sale).	
	D4: "Rapidax Instant Call Recorder," (NSDE008305-008309) (illustrating the hardware of the D1 sale).	
	D5: "Rapidax in Surveillance and Security Monitoring" (NSDE008310-008311) (evidencing the hardware of the D1 sale).	
	D6: "Operator's Manual." (NSDE008320-008324) (evidencing the hardware of the D1 sale).	
	D7: "System Manager's Manual." (NSDE008325-008340) (evidencing the hardware of the D1 sale).	
	D8: "Rapidax Tape Archive and System Network." (NSDE008303- 008304) (evidencing the hardware of the D1 sale).	
. ,	D9: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (avidencing the hardware of the D1 sale).	
	D10: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D1 sale).	

'371 Claim	Prior Art Reference(s)	Invalidity Bases
	D11: United States Patent No.	
	4,891,835, to Leung, issued on 1986,	
	issued on June 2,	
	(1990.(WSNSDE0003055-80)	-
	D12: Sale of Eyretel e1000, sold in the	
	U.S. as of at least October, 1992.	
	D13: Deposition of Chris Blair in	Į.
ļ	Dictaphone CorPage vs. Nice Systems.	
	Ltd., dated June 21, 2002, Civil Action	
	3:00CV1143 (illustrating the hardware	
•	of D12 sale).	i
	D14: European Patent Publication	
	0372894, to Koizumi, published on	
	June 13, 1990, filed on December 5, 1989.(WSNSDE0000277-93)	•
,	•	•
	.D15: U.S. Patent No. 4,905,141, to	
•	Brenza, issued Pebruary 27, 1990, filed	
[	on October 25, 1988.(WSNSDE0003096-126)	
	,	
	D16: U.S. Patent No. 4,864,543, to	
	Ward, issued September 5, 1989, filed on April 30, 1987.	
	(WSNSDE0002971-84)	
	(4314305002371-04)	
1. In a method of storing and	D1: D2, Pages 1-2; D9, Page 8, line	This claim is invalid under 35 U.S.C.
retrieving audio from a digital	17 - Page 9, line 4.	§102(b) as anticipated by D1.
audio logger, the steps		This claim is invalid under 35 U.S.C.
comprising:	D12: D13, Page 11, lines 7-8.	§103(a) as obvious in view of D11 in
	D11: Col. 2, lines 10-14.	combination with D1 and/or D12
	DII. COL E, IMOS ROAV	and/or D14.
a) monitoring an audio source,	D1: D8, Page 1; D4, Page 4.	
	D11: Col. 3, lines 42-50.	
	D12: D13, Page 11, lines 7-8.	·
	D14: Col. 4, lines 24-30.	
	DIT. COLT, MISS 27-30.	·
b) storing audio data from the	D1: D9, Page 18, lines 10-14; D10,	
audio source in a buffer,	Page 9; D2, Page 2.	i
,	D11: Figure 6, Col. 10, line 66 - Col.	
	11, fine 54, Col. 9, fines 46-47.	
	D12: D13, Page 11, lines 7-8.	•
	D14: Col. 5, lines 16-27.	
	1	

'371 Claim	Prior Art Reference(s)	Invalidity Bases
c) writing the audio data from	D1: D8, Page 1; D3, Page 3; D4, Page	It would have been obvious to one of
the buffer onto a digital audio	4; D10; D9, Page 46, lines 2-20.	ordinary skill in the art to incorporate
tape and a random access		the digital audio tape of D1 and/or
storage device, and	D11: Col. 10, line 66 - Col. 11, line	D12 and/or D14 with the system of D11 to store the same type of data in
	54, Col. 9, lines 46-47, Col. 2, lines	the DRAM and the recorder unit and
	29-36, Col. 2, lines 38-41.	to obtain a duplicate recording that
	D10- D12 D-se 11 Swag 19 21	requires less hardware.
	D12: D13, Page 11, lines 18-21.	10 danga lasa lawa a ma
	D14: Col. 3, lines 17-27, Col. 5, lines	It would have been obvious to one of
	35-41.	ordinary skill in the art to incorporate
<b>,</b>	, T	the buffer of D1 and/or D11 and/or
,	D15: Col. 3, lines 25-29, Col. 3, lines	D12 with the modern of D14 to
	35-38, Col. 3, lines 51-53.	reduce loss of data resulting from
		data sent to the modern at a rate that
-		exceeds the modern's capacity to
		process such data.
	D. D. D. J. D.	
d) retrieving audio from the	D1: D2, Page 1; D5, Page 1; D10, Page 10.	
random access storage device while audio data is written into	rage 10.	<u> </u>
the digital audio tape and the	D11; Col. 2, lines 29-48.	'
random access storage device.		
1919011 00000 periage av	D14: Col. 3, lines 17-27, Col. 4, lines	
	33-35, Col. 5, lines 35-41, Col. 6, lines	<b>\</b>
	31-35.	
<del>{</del>		}
	D12: D13, Page 11, lines 18-21.	
	D15: Col. 3, lines 25-29, Col. 3, lines	
,	35-38, Col. 3, lines 51-53.	
	35 50, 00% 0, 100%	
2. The method of claim 1	D1: D6, Page 5; D9, Page 15, lines 3-	This claim is invalid under 35 U.S.C.
including the further steps of	7, Page 19, lines 6-22.	§102(b) as anticipated by D1.
providing the random storage		mit at the later than 12 through a condens 25 11 9 C
device with a primary partition	D11: Col. 15, lines. 13-16, Col. 19,	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in
and writing voice data onto the	line 13 - Col. 20, line 39.	combination with D1 and/or D12
primary partition in time	D14: Col. 3, lines 17-27, Col. 5, lines	and/or D14 and/or D15.
defined manner.	35-41.	STATE OF THE PROPERTY OF THE P
		This claim is invalid under 35 U.S.C.
	D15: Col. 3, lines 25-29, Col. 3, lines	§ 103(a) as obvious in view of D14 in
	35-38, Col. 3, lines 51-53.	combination with D1 and/or D11
1		and/or D15.
		Ye
		It would have been obvious to one of ordinary skill in the art to incorporate
		the digital audio tape of D1 and/or
.]		D12 and/or D14 with the system of
	·	D11 to store the same type of data in
		the DRAM and the recorder unit and
		to obtain a duplicate recording that
,		requires less hardware.
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		It would have been obvious to one of

'371 Claim	Prior Art Reference(s)	Invalidity Bases
		ordinary skill in the art to incorporate the buffer of D1 and/or D11 and/or D12 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate that exceeds the modem's capacity to process such data.  It would have been obvious to incorporate the partitioned random access storage device and writing in a time defined manner of D1 with the systems of D11 and D12 and/or D14 to retrieve data efficiently and precisely while operating with a single buffer.
3. The method of claim 2 further including the further steps of providing the random access device with a secondary partition and writing an index table in the secondary partition to indicate location of audio data in the primary partition.	D1: D9, Page 15, lines 12-23, Page 19, line 17 — Page 20, line 14, Page 18, line 25 — Page 19, line 15, Page 15, lines 1-8; D10, Pages 12-13  D11: Col. 17, lines 30-54.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15.  This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D15.  It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 with the system of D11 to store the same type of data in the DRAM and the recorder unit and to obtain a duplicate recording that requires less hardware.  It would have been obvious to one of
		ordinary skill in the art to incorporate the buffer of D1 and/or D11 and/or D12 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate that exceeds the modem's capacity to process such data.  It would have been obvious to incorporate the partitioned random access storage device and writing in a time defined manner of D1 with the systems of D11 and D12 and/or D15 to retrieve data efficiently and precisely white operating with a

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'371 Claim	Prior Art Reference(s)	Invalidity Bases
-		single buffer.
4. The method of claim 3 further including the step of providing the secondary partition with a record session table, storing start and end times of recording session, and index start and end entries of the index table to indicate location in the index table of selected audio.	D1: D9, Page 17, line 24 - Page 20, line 14, Page 20, line 14, Page 22, lines 18-25, Page 15, lines 1-8, Page 18, lines 18-20, Page 17, line 24 - Page 19, line 15; D10, Pages 13-14.  D11: Col. 17, lines 30-54; Col. 2, lines 29-48.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16.  It would have been obvious to incorporate the index table of D15 and/or D16 with the system of D11 and/or D12 and/or D14 to store and retrieve data more precisely.
5. In a system for processing audio having	D1: D9, Page 8, line 17 — Page 9, line 4, Page 10, line 13 — Page 11, line 10; Page 15, lines 12-23, Page 22, lines 10-13.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15.  This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D15 and/or D16.
an interface for receiving audio from an audio source,	D1: D9, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10, Page 15, lines 12-23, Page 22, lines 10-13.	•
a digital signal processor in communication with the interface for compressing the audio signals,	D1: D9, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10, D10, Page 16.	·
a controller in communication with the digital signal processor for receiving audio therefrom and arranging data in a prescribed order,	DI: D9, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10, Page, 22, lines 10-13; D10, Page 16.	
a supervisor in communication with said controller accessing data from said system, and	D1: D9, Page 15, lines 12-23, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10, Page, 22, lines 10-13; D10, Page 16.	
a buffer in communication with the controller for receiving arranged audio from the controller, the improvement comprising;	D1: D9, Page 10, line 13 - Page 11, line 10, Page 18, lines 10-14, Page 15, lines 13-23, Page 17, lines 7-20; D2, page 2; D10, Page 9.	Y. 111
a digital audio tape drive unit in	D1: D9, Page 10, line 13 - Page 11,	It would have been obvious to one of

'371 Claim	Prior Art Reference(s)	Invalidity Bases
communication with the buffer -	line 10, Page 18, lines 10-14, Page 15,	ordinary skill in the art to incorporate
for receiving arranged audio	lines 13-23, Page 17, lines 7-20; D2,	the digital audio tape of D1 and/or
data from the buffer,	Page 2; D10, Page 17.	D12 and/or D14 with the system of
	D11: Col. 10, line 66 - Col. 11, line	D11 to store the same type of data in the DRAM and the recorder unit and
	54, Col. 9, lines 46-47, Col. 2, lines	to obtain a duplicate recording that
	29-36, Col. 2, lines 38-41, Col. 3, lines	requires less hardware.
	31-47, Col. 7, lines 26-33.	
	· ,	It would have been obvious to one of
	D14: Col. 17, lines 30-54; Col. 2,	ordinary skill in the art to incorporate
	lines 29-48.	the buffer of DI and/or DI 1 and/or
	DI2: D13, Page 11, lines 18-21	D12 with the modem of D14 to reduce loss of data resulting from
1	D12/ D13,1 ago 11, mics 10-21	data sent to the modem at a rate that
		exceeds the modem's capacity to
		process such data.
a random access storage device,	D1: D4, NSDE008308, D9, Page 14,	
and	lines 9-25; D10, Page 17.	
	D11: Col. 2, lines 32-36, Col. 17, lines	,
	18-54.	
1		
1.	D14: Col. 3, lines 17-27, Col. 2, lines	
	47-54.	`
	D15: Col. 3, lines 25-29, Col. 3, lines	
	35-38, Col. 3, lines 51-53.	
a pair of pointers providing	D1: D9, Page 15, lines 12-23, Page	It would have been obvious to one of
communication between said	16, lines 8-19, Page 19, line 20 - Page	ordinary skill in the art to incorporate
buffer and random storage	22, line 13; D3, Pages 2-3.	the pair of pointers of D16 with the
device, the first of said pointers	D11: Col. 17, lines 30-54; Col. 2, lines	system of D11 and/or D12 and/or D14 to retrieve data efficiently and
operative for transmitting audio	29-48.	precisely while operating with a
data to said random access		single buffer.
storage device from said buffer	D14: Col. 3, lines 17-27, Col. 5, lines	_
and the second of said pointers	35-41, Col. 4, lines 33-35, Col. 6, lines	
being operative to send audio	31-35.	
storage device to said	D15: Col. 3, lines 25-29, Col. 3, lines	
controller.	35-38, Col. 3, lines 51-53.	
	,,,	
	D19: Col. 2, line 62 - Col. 3, line 21,	
,	Col. 4, lines 11-33.	1
		-
6. The system of claim 5 further	D1: D2; D3, Page 3, Page 7; D9, Page	This claim is invalid under 35 U.S.C.
including a speaker in communication with sald	10, line 13 - Page 11, line 2, D10, Page 18.	§102(b) as anticipated by D1.
communication with said controller for playing audio	Luge 10.	This claim is invalid under 35 U.S.C.
Antitation in highing andio	<u></u>	1 The ording to winding mines 32 0.9.0"

'371 Claim	Prior Art Reference(s)	Invalidity Bases
retrieved from said random access storage device.	D11. Col. 2, lines 29-49, Col. 3, lines 53-55.	§103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D16.
		This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D16.
		It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D16 with the random access storage device of D1 and/or D14 to retrieve data efficiently and precisely while operating with a single buffer.
7. The system of claim 6 wherein said random access storage device has a primary	D1: D9, Page 15, lines 1-8, lines 12- 23, Page 19, line 17 - Page 20, line 14 D9, Page 18, line 25 - Page 19, line	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
partition for storing recorded audio data and a secondary partition for storing means for locating selected audio data	15, Page 16, lines 8-19; D10, Pages 12-14. D11: Col. 2, lines 29-49.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16.
stored on said primary partition, said second pointer being alternately in communication with said first partition and said second partition.		This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D15 and/or D16.
		It would have been obvious to one of ordinary skill in the art to incorporate the partitioned random access device of D15 and/or D1 and/or D14 with the system of D11 to retrieve data efficiently and precisely while operating with a single buffer.
		It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D16 and/or D1 and/or D14 with the system of D11 to retrieve data efficiently and precisely while operating with a single buffer.
8. An audio data storage device, comprising:	D1: D3, Page 3.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
southerwiff.	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D16.
a random access storage device having a primary partition for	D1: D5, Page 1; D2, Page 1; D3, Page 3; D8, Page 1; D9, Page 46, lines 2-20,	It would have been obvious to incorporate the index table of D15

'371 Claim	Prior Art Reference(s)	Invalidity Bases
storing audio data and a secondary partition for storing means for locating data on said primary partition and	Page 19, line 17 - Page 20, line 14, Page 18, line 25 - Page 19, line 15, Page 15, lines 1-8; D10, Pages 12-13 D11: Col. 17, lines 30-54; Col. 2, lines 29-48. D14: Col. 3, lines 17-27, Col. 2, lines 47-54. D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	and/or D16 with the system of D11 and/or D12 and/or D14 to store and retrieve data more precisely.
a pair of pointers in communication with said random access memory, a first of said pointers being operated to transmit data to said random access storage device and the second of said pointers being operative to retrieve sudio data from said random access storage device.	D1: D9, Page 15, lines 12-23, Page 19, line 17 - Page 20, line 14, Page 18, line 25 - Page 19, line 15; D10, Pages 12-13, Pages 15-16.  D11: Col. 17, lines 30-54; Col. 2, lines 29-48.  D14: Col. 3, lines 17-27, Col. 5, lines 35-41, Col. 4, lines 33-35, Col. 6, lines 31-35.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.  D19: Col. 2, line 62 - Col. 3, line 21, Col. 4, lines 11-33.	It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D16 with the system of D11 and/or D12 and/or D14 to retrieve data efficiently and precisely while operating with a single buffer.

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'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Sale of Eyretel e1000, sold in the U.S. as of at least October, 1992. See 30(b)(6) Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143.	
	D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94)	
	D3: "E1000/B500 Recorder: Engineer Familiarisation" (illustrating the hardware of the D1 sale.)( WSNSDE0015161-98)	·
	D4: U.S. Patent No. 5,724,738, to Daly et al., filed on December 31, 1991. (WSNSDE0008620-5)	
	D5: "Digital Audio Tape For Data Storage", IEEE Spectrum, October, 1989. (WSNSDE0010785-9)	
A modular digital     recording logger,     comprising:	D1; D2 and D3. D4; Col. 1, lines 28-58.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1 (evidenced by D1-D3).
		Claim 1 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5.
a housing;	D1: D2, and D3 Page 9.	
	D4: Col. 2, lines 15-19, Col. 3, lines 28- 32.	
at least two circuit modules in said housing for converting analog voice signals to digital voice signals, each of said circuit	D1: D2, and D3 Pages 2-5.  D4: Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-21; Col. 4, lines 3-6.	
modules including at least two terminals for receiving said analog voice signals, each of said terminals being capable of receiving said		
analog voice signals for recording a two-way conversation:		
a circuit in said housing for compressing said digital	D1: D2, and D3 Page 6.  D4: Col. 2, line 65 - Col. 3, line 2,	
voice signals received from each of said circuit modules		

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
to provide compressed voice data;		
a first bus in said housing for providing communication between said circuit module and said compressing circuit;	D1: D2, and D3 Pages 2-7. D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus; and	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
a digital audio tape (DAT) drive for storing said compressed voice data.	D1: D2 and D3 Pages 2, 6-7, and 13-15.  D5; Entire Article.	The DAT in D1 is used to store compressed data. The DAT may be used as backup storage to the host computer of D4, which "stores" data from the voice processing board. It would have been obvious to one of ordinary skill in the art to include the DAT of D1 in the system of D4 for the purpose of backup storage and archiving of digital data.  D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in the system of D4 for backup storage and archiving digital data.
2. The modular digital recording logger of claim 1, further including a clock in communication with said computer.	D1: D2 and D3. D4: Col. 2, lines 15-19.	Claim 2 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 2 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1.
3. The modular digital recording logger of claim 1, further including a speaker in communication with at least one circuit module.	D1: D2 and D3 Pages 8-9.	Claim 3 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
4. The modular digital	DI: D2, D3 pages 2, 11-16.	Claim 4 is invalid under 35 U.S.C.

recording logger of claim 1, further comprising a hard disk drive in said housing for storing and reproducing said compressed voice data.	Prior Art Reference(s) (if applicable) D4; Col. 2, lines 15-19; Col. 1, lines 55- 58.	§102(b) as anticipated by D1.  Claim 4 is invalid under 35 U.S.C. §103 as obvious in view of D4 in
further comprising a hard disk drive in said housing for storing and reproducing	· · · · · · · · · · · · · · · · · · ·	§ 103 as obvious in view of D4 in
		combination with D1. See motivation to combine from Claim 1.
5. The modular digital recording logger of claim 4, further comprising: a computer in said housing for operating said DAT drive and/or sald hard disk drive to store and reproduce said digital voice signals; and	D1: D2 and D3 Pages 2, 6-7, and 11-15.	Claim 5 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 5 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive.	D1: D2 and D3 Pages 2, 6-7, and 11-15.	One or more buses may be added to D4 to communicate with the DAT in addition to the hard disk drive, which is a matter of design choice. It would have been obvious to one of ordinary skill in the art to use a single bus to reduce the number of communication channels required to supply digital data to the DAT and hard disk, as in D1.
6. The modular digital recording logger of claim 1, wherein said first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.
7. The modular digital recording logger of claim 1, wherein said second bus is a small computer system interface (SCSI) bus and further comprising a SCSI adapter for connecting said computer to said SCSI bus.		Claim 7 is invalid under 35 U.S.C. § 102(b) as anticipated by D1.  Claim 7 is invalid under 35 U.S.C. § 103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.
8. The modular digital recording logger of claim 1, wherein said compressing circuit is a processor.  10. The modular digital	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D1: D2, and D3 Pages 2-7.	Claim 8 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 8 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.  Claim 10 is invalid under 35 U.S.C.

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
recording logger of claim 7,	A TOTAL TAX A MODEL CHARLES (14 MODELLEDIC)	§102(b) as anticipated by D1.
further including a random access memory (RAM) for storing said compressed voice data before it is transmitted to the SCSI adapter.		Claim 10 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.
11. A network system of modular digital recording loggers, comprising:	D1: D2, and D3 Pages 2, 17.	Claim 11 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 11 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5.
at least two digital recording loggers for logging voice conversations, each of said recording loggers comprising:	D1: D2, and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access to stored digital voice signals on remote computers or devices, as in D1.
a housing;	D1: D2, and D3 Page 9.	
	D4: Col. 2, lines 15-19, Col. 3, lines 28-32.	
a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit modules including at least two terminals for receiving said analog voice signals, and wherein each of sald terminals is capable of receiving said analog voice signals for recording a two-way conversation,	D1: D2, and D3 Pages 2-5.  D4: FIG. 1; Col. I, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-21; Col. 4, lines 3-6.	
a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data.	D1: D2, and D3 Page 6. D4: Col. 2, line 65 - Col. 3, line 2.	
a first bus in said housing for providing communication between said circuit module and said compressing circuit,	D1; D2, and D3 Pages 2-7. D4; FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus.	D1: D2, and D3 Pages 2-7. D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
a digital audio tape (DAT) drive for storing said compressed voice data,	D1: D2 and D3 Pages 2, 6-7, and 13-15.  D5: Entire Article.	D1 teaches a DAT drive for use in the system of D4. The DAT in D1 is used to store compressed data. The DAT may be used as backup storage to the host computer, which "stores" data from the voice processing board. It would have been obvious to one of ordinary skill in the art to include the DAT of D1 in the system of D4 for backup storage and archiving digital data.  D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in the system of D4 for backup storage and archiving digital data.
a hard disk drive in said housing for storing and reproducing said compressed voice data,	D1: D2, D3 pages 2, 11-16. D4: Col. 2, lines 15-19; Col. 1, lines 55-58.	
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	D1: D2 and D3 Pages 2, 6-7, and 11-15.	
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	D1: D2 and D3 Pages 2, 6-7, and 11-15.	One or more buses may be added to D4 to communicate with the DAT in addition to the hard disk drive, which is a matter of design choice. It would have been obvious to one of ordinary skill in the art to use a single bus to reduce the number of communication channels required to supply digital data to the DAT and hard disk, as in

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		D1.
a second computer for processing compressed digital voice signals received from each of said recording loggers; and	D1: D2 and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, and to permit computer access to stored digital voice signals, to permit remote access of digital voice signals from a single location.
a third bus connecting each of said recording loggers to said second computer.	D1: D2 and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, and to permit computer access to stored digital voice signals, to permit remote access of digital voice signals from a single location.
12. The network system of claim 11, further comprising a clock in communication with said first computer.	D1: D2 and D3. D4: Col. 2, lines 15-19.	Claim 12 is invalid under 35 U.S.C. § 102(b) as anticipated by D1.  Claim 12 is invalid under 35 U.S.C. § 103 as obvious in view of D4 in combination with D1 and/or D5.
13. The network system of claim 11, wherein said third bus is a local area network (LAN) bus.	D1: D2, D3 Fages 2, 12-17.	Claim 13 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN would have been obvious to one of ordinary skill in the art as a matter of design choice.
14. The network system of claim 13, wherein said second computer and each of said recording loggers further include a LAN adapter for providing connection to said LAN bus.	D1; D2, D3 Pages 2, 12-17.	Claim 14 is invalid under 35 U.S.C. § 102(b) as anticipated by DI, or in the alternative, under 35 U.S.C. § 103 as obvious in view of D1.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN would have been obvious to one of ordinary skill in the art as a matter of design choice.
15. The network system of	D1: D2, and D3 Pages 2-7.	Claim 15 is invalid under 35 U.S.C.

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
claim 11, further comprising		§102(b) as anticipated by D1.
a speaker in communication	·	
with said second computer	•	Claim 21 is invalid under 35 U.S.C.
for reproducing said analog		§103 as obvious in view of D4 in
voice signals.		combination with D1.
	·	
		It would have been obvious to one of
}		ordinary skill in the art to utilize
l		multiple digital voice processing systems of D4 to increase capacity for
	i	voice processing, and to permit access
·		and replay to stored digital voice
		signals on remote devices, as in D1, to
1	•	permit a distributed system of
		recorders.
		100018013.
22. A method of	D1: D2 and D3.	Claim 22 is invalid under 35 U.S.C.
manufacturing a modular		§102(b) as anticipated by D1
digital recording logger,	D4; Col. 1, lines 28-58.	(evidenced by D1-D3).
comprising the steps of:		
		Claim 22 is invalid under 35 U.S.C.
		§103 as obvious in view of D4 in
		combination with D1 and/or D5.
selecting a number of circuit	D1: D2, and D3 Pages 2-5.	
modules for converting	TA TIO 1. O.) 1 Nov. 44 40 and Nov.	
analog voice signals to and	D4: FIG. 1; Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-	
from digital voice signals,	21; Col. 4, lines 3-6.	
including at least two	21, COL 4, MICS 5-0.	
terminals for receiving said		
analog voice signals, and	'	
wherein each of said		
terminals is capable of		
receiving said analog voice		
signals for recording a two-	į	
way conversation;		
	D1-D24D2 D 2	
installing said selected	D1: D2, and D3 Page 9.	
modules in a housing;	D4: Col. 2, lines 15-19, Col. 3, lines 28-	
modules in a mousing,	32.	
	1	
installing a circuit in said	DI: D2, and D3 Page 6.	
housing for compressing		
said digital voice signals	D4: Col. 2, line 65 - Col. 3, line 2.	
received from each of said		
circuit modules to provide		
compressed voice data;		•
installing a first bus in said	D1: D2, and D3 Pages 2-7.	
housing for providing	The 1970 T. M. 1 M	
communication between	D4: FIG. 1; Col. 2, lines 2-6, and line 58	
said circuit module and said	to Col. 3, line 8.	

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
compressing circuit;		
installing a multiplexer	D1: D2, and D3 Pages 2-7.	
circuit in said housing for	D1. D2, 11, 23 x 15, 11	
providing communication	D4: FIG. 1; Col. 2, lines 2-6, and line 58	ļ
between said compressing	to Col. 3, line 8.	1
circuit and said first bus,		
wherein said multiplexer	,	
circuit multiplexes voice	'	
signals exchanged between said compressing circuit and		
said circuit modules on said		1
first bus; and		
		The DAT in D1 is used to store
installing a digital audio	D1: D2 and D3 Pages 2, 6-7, and 13-15.	compressed data. The DAT may be
tape (DAT) drive in said	D5: Entire Article.	used as backup storage to the host
housing for storing and reproducing said	155. Laute Maste,	computer of D4, which "stores" data
compressed voice data.		from the voice processing board. It
Joint Contract of the Contract		would have been obvious to one of
		ordinary skill in the art to include the DAT of D1 in the system of D4 for the
		purpose of backup storage and
		archiving of digital data.
		D5 discloses the use and advantages of
1		DAT as high density storage for
		backing up voice data. It would have
		been obvious to one of ordinary skill in the art to include the DAT of D5 in
·		the system of D4 for backup storage
		and archiving digital data.
23. The method of claim 22,	D1: D2, D3 pages 2, 11-16.	Claim 23 is invalid under 35 U.S.C.
further comprising the steps	D4: Col. 2, lines 15-19; Col. 1, lines 55-	§102(b) as anticipated by D1.
of connecting to said comprising circuit a hard	58.	Claim 23 is invalid under 35 U.S.C.
disk drive for storing and		§103 as obvious in view of D4 in
reproducing said		combination with D1. See motivation
compressed voice data.		to combine from Claim 22.
24. A method of networking	D1; D2, and D3 Pages 2, 17.	Claim 24 is invalid under 35 U.S.C.
a plurality of digital	The state of Miles and A - Day all at.	§102(b) as anticipated by D1.
recording loggers,		
comprising the step of:		Claim 24 is invalid under 35 U.S.C.
	1	§ 103 as obvious in view of D4 in combination with D1 and/or D5.
		}
selecting a number of	D1: D2, and D3 Pages 2, 17.	It would have been obvious to one of
modular digital recording		ordinary skill in the art utilize multiple
loggers for logging voice		digital voice processing systems of D4 to increase capacity for voice
conversations, each of said		processing, and to permit access to .
recording loggers		stored digital voice signals on remote
comprising:		

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		devices, as in D1.
	D1 D0 1D0 D	
a housing;	D1: D2, and D3 Page 9.	
	D4: Col. 2, lines 15-19, Col. 3, lines 28-	
	32.	
a circuit in said housing for	D1: D2, and D3 Pages 2-5.	
converting analog voice	D1. D2, and D3 1 ages 2-3.	
signals to and from digital	D4: FIG. 1; Col. 1, lines 44-49 and lines	
voice signals, said circuit including a plurality of	55-58; Col. 2, lines 4-10; Col. 3, lines 13- 21; Col. 4, lines 3-6.	
terminals for receiving said	21, 23. 1, 2.02.5	
analog voice signals, and		
wherein each of said terminals is capable of		
receiving said analog voice		
signals for recording a two-	-	
way conversation,		•
a circuit in said housing for	D1: D2, and D3 Page 6.	, , , , , , , , , , , , , , , , , , , ,
compressing said digital	Dis Cal 2 line 65 Cal 2 line 2	
voice signals received from	D4: Col. 2, line 65 - Col. 3, line 2.	i.
to provide compressed voice		
data,		
a first bus in said housing	D1: D2, and D3 Pages 2-7.	
for providing	•	
communication between said circuit module and said	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
compressing circuit,	a confirmed,	
7427	D1-D24 D2 D 2 2	
a multiplexer circuit in said housing for providing	D1: D2, and D3 Pages 2-7.	
communication between	D4: FIG. 1; Col. 2, lines 2-6, and line 58	
said processor and said first bus, wherein said	to Col. 3, line 8.	
multiplexer circuit		
multiplexes voice signals		
exchanged between said compressing circuit and said		
circuit modules on said first		·
bus,		
a digital audio tape (DAT)	D1: D2 and D3 Pages 2, 6-7, and 13-15.	DI teaches a DAT drive for use in the
drive for storing and	_	system of D4. The DAT in D1 is used
reproducing said compressed voice data,	D5: Entire Article.	to store compressed data. The DAT
compressed voice data,	1	may be used as backup storage to the host computer, which "stores" data
		from the voice processing board. It
		would have been obvious to one of ordinary skill in the art to include the
		DAT of D1 in the system of D4 for

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		backup storage and archiving digital data.
		D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in the system of D4 for backup storage
		and archiving digital data.
a hard disk drive for storing and reproducing said compressed voice data,	D1: D2, and D3 Pages 2, 11-16. D4: Col. 2, lines 15-19; Col. 1, lines 55-58.	
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	D1: D2 and D3 Pages 2, 6-7, and 11-15.	
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	D1: D2 and D3 Pages 2, 6-7, and 11-15.	One or more buses may be added to D4 to communicate with the DAT in addition to the hard disk drive, which is a matter of design choice. It would have been obvious to one of ordinary skill in the art to use a single bus to reduce the number of communication channels required to supply digital data to the DAT and hard disk, as in D1.
installing said selected number of said recording loggers;	D1: D2, and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access to stored digital voice signals on remote devices, as in D1.
installing a second computer for processing compressed digital voice signals received from each of said recording loggers; and	D1: D2 and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, and to permit computer access to stored digital voice signals, to permit remote access of digital voice signals from a single location.
installing a third bus connecting each of said recording loggers to said	D1: D2 and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing

'005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
second computer.		systems of D4 with one or more buses, as in D1, and to permit computer access to stored digital voice signals, to permit remote access of digital voice signals from a single location.
25. The method of claim 24, wherein said third bus is a local area network (LAN) bus.	D1: D2, D3 Pages 2, 12-17.	Claim 25 is invalid under 35 U.S.C. \$102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. \$103 as obvious in view of D1.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN, would have been obvious to one of ordinary skill in the art as a matter of design choice.
26. The method of claim 25, wherein said second computer and each of said recording loggers further include a LAN adapter for providing connection to said LAN bus.	D1: D2, D3 Pages 2, 12-17.	Claim 26 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN, would have been obvious to one of ordinary skill in the art as a matter of design choice.

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'570 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079,	
	priority date of Aug. 10, 1990,	•
	and issue date of Sep. 10, 1991.	ı
	(WSNSDE0003251-72) D1 🗸	
	discloses a method and apparatus	
'	for matching call records with	
	corresponding PBX data using a	
	probability factor.	
	D2: U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
<b>{</b>	issue date of Dec. 14, 1999.	
	(WSNSDE0005882-925) D2 ✓	
[	discloses an apparatus and	
	method for exchanging	
	telephone call information	
	between two computers.	
	D3; U.S. Patent No. 5,559,875,	
	priority date of Jul. 31, 1995,	/
	and issue date of Sep. 24.	
	1996.(WSNSDE0004992-5027)	
	D3 discloses a method and	•
	apparatus for recording and	
	playback of audio conferences.	
	D4: U.S. Patent No. 5,982, 857,	
	priority date of Oct. 17, 1994,	/
	and issue date of Nov. 9, 1999.	
	(WSNSDE0005823-37) D4	
1	discloses a system and method	
	for recording and playback of	
	telephone calls.	

'570 Claim	Prior Art Reference(s)	Invalidity Bases
1. A system for recording	•	This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more	,	D3.
segments, comprising:	_	- 2001
,		This claim is invalid under 35
		U.S.C. § 102(e) as anticipated by
		D4.
		D4.
		(TTL: -1-:) 1 111 1 05
l '		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		•
		D1 and D2 teach storing various
		types of telephony data. D3 and
		D4 teach storing audio segments
}		with associated data. One of
		skill in the art would recognize
		the types of data disclosed in D1
		and/or D2 could be stored in the
		data storage systems disclosed in
		D3 and/or D4. The motivation
		for this combination can be
1		found in the references
		themselves, which teach the
(		desirability of maintaining data
1		associated with audio segments.
		Furthermore, one of skill in the
<b>!</b>		art would recognize that the
		similarities in the teachings of
		D1 and D2, as well as the
		similarities in the teachings of
		D3 and D4, allow for the
		combination of D1 and D2, as
		well as the combination of D3
	1	and D4. The motivation for
		these combinations would be to
		provide interoperability between
1 .		the similar systems disclosed in
		these references.
(a) a first memory having one or	D3, col. 2, ll. 1-15; col. 3, ll. 58-	, , , , , , , , , , , , , , , , , , , ,
more locations storing audio	62; col. 4., 1l. 53-63.	
data regarding telephone call		
segments relating to one or more	D4, col. 3, Il. 30-54; col. 4, Il.	<b>'</b> .
telephone calls;	16-66.	
	4 × × × ·	

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570 Claim	Prior Art Reference(s)	Invalidity Bases
(b) a second memory having one	D1, col. 3, kn. 62 – col. 4 kn. 17;	It would have been obvious to
or more locations storing data	col. 7, ll. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
regarding telephony events	col. 15, Il. 27-60.	combine D1 and/or D2 with D3
associated with the telephone	·	and/or D4. The motivation for
call segments; and	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided
	18-21; col. 22, ll. 52-56; col. 25,	above.
	п. 18-29.	
	773 17 4 11 25 50	<b> </b>
	D3, col. 4, 11, 35-52.	·
	D4, col. 4 ln. 66 - col. 5 ln. 13.	
	21,000.7 111.00	·
(c) a processor programmed to	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
identify telephone call segments	62 - col. 4 in. 17; col. 7, 11. 38-	one of ordinary skill in the art to
that relate to one telephone call	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 – col. 14, In. 59; col. 15, Il.	and/or D4. The motivation for
	27-60.	this combination is provided
	Do 1 5 N 5 20 - 1 20 N	above.
	D2, col. 5, 11, 6-32; col. 22, 11.	
1	18-21; col. 22, 11. 52-56; col. 25,	
1	11. 18-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11. 9-58.	
	2007,	
	D4, col. 5 ll. 14-33.	
and to construct a data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
representation of a lifetime of	62 - col. 4 ln. 17; col. 7, 11. 27-	one of ordinary skill in the art to
the telephone call, using data	62; col. 11, ll. 34-47; col. 13, ln.	combine DI and/or D2 with D3
regarding telephony events	19 -col. 14, in, 59; col. 15, il.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided
call segments of the telephone	Do 5 7 6 70 1 00 35	above.
call, wherein sald data	D2, col. 5, Il. 6-32; col. 22, Il.	
representation comprises (i) a	18-21; col. 22, ll. 52-56; col. 25,	
list of participants in the	11. 18-29.	,
telephone call, (ii) a list of	D3, cot. 5, ln. 30 - col. 6, ln. 6;	
telephony events regarding the	col. 9, II. 9-58; col. 9, In. 60 -	
call, (iii) a list containing the time each telephony event	col. 11, ln. 34.	
occurred, (iv) the start and end	COM 145 HIS ST.	
time of the call, and (v) the start	D4, col. 5 ll. 14-33.	,
time, and time, and duration of		
each telephone call segment.		Į.
Anoti combinate and notitions	<del></del>	· · · · · · · · · · · · · · · · · · ·

'570 Claim	Prior Art Reference(s)	Invalidity Bases
2. A system for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more segments, comprising:	·	D3.
segments, comprising.		This claim is invalid under 35
·		U.S.C. § 102(e) as anticipated by
		D4.
		- "
		This claim is invalid under 35
İ		U.S.C. §103 as obvious in view
	l .	of D1 and/or D2 in combination
	•	with D3 and/or D4,
		This claim is invalid under 35
	·	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
1		
		The motivation for these
		combination can be found in
(a) a first memory having one or	D3, col. 2, ll. 1-15; col. 3, ll. 58-	Claim I. above.
more locations storing audio	62; col. 4., ll. 53-63.	
data regarding telephone call	(2) and (1) in 30 (0)	
segments relating to one or more	D4, col. 3, ll. 30-54; col. 4, ll.	
telephone calls;	16-66,	Λ
(b) a second memory having one	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
or more locations storing data	col. 7, il. 27-62; col. 13 il. 19-25;	one of ordinary skill in the art to
regarding telephony events associated with the telephone	col. 15, ll. 27-60.	combine D1 and/or D2 with D3 and/or D4. The motivation for
call segments; and	D2, col, 5, ll, 6-32; col, 22, ll.	this combination is provided in
,	18-21; col. 22, 11. 52-56; col. 25,	Claim 1, above.
	11. 18-29.	
<b>{</b>		
	D3, col. 4, 11. 35-52.	•
}	D41 41- 661 61- 13	
(c) a processor programmed to	D4, col. 4 ln. 66 - col. 5 ln. 13. D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
identify telephone call segments	62 – col. 4 ln. 17; col. 7, 11. 38-	one of ordinary skill in the art to
that relate to one telephone call	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
1	41 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
]	27- <del>6</del> 0.	this combination is provided in
	70 -7 - 7 - 7 - 7 - 7 - 7	Claim 1, above.
	D2, col. 5, il. 6-32; col. 22, il.	
	18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	
[	411 40-22	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
·	col. 9, 11, 9-58.	
<u> </u>	D4, col. 5 ll. 14-33.	

(620 (1)-5-	T	
'570 Claim and to construct a data	Prior Art Reference(s)	Invalidity Bases
representation of a lifetime of	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
the telephone call, using data	62 - col. 4 ln. 17; col. 7, ll. 38- 47; col. 11, ll. 34-47; col. 13, ln.	one of ordinary skill in the art to
regarding telephony events		combine D1 and/or D2 with D3
associated with the telephone	41 - col. 14, ln. 59; col. 15, ll 27-60.	and/or D4. The motivation for
call segments of the telephone	27-00,	this combination is provided in Claim 1, above.
call, wherein the data	D2, col. 5, 11. 6-32; col. 22, 11.	CIMINI 1, 200Ve.
representation comprises, for	18-21; col. 22, ll. 52-56; col. 25,	4
each segment of the call, the	11. 18-29.	
location of the stored audio data	1 10 25.	
of the segment and the start	D3, col. 4, 11, 35-52; col. 5, ln.	
time, end time, and duration of	30 - col. 6, In. 6; col. 9, Il. 9-58;	
each telephone call segment.	col. 9, ln. 60 - col. 11, ln. 34.	
_	,	
	D4, col. 5 II. 14-33.	
3. A system for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more segments, comprising:		D3,
402mmi combining.		This claim is invalid under 35
		U.S.C. § 102(e) as anticipated by
+		D4.
	·	
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination with D3 and/or D4.
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	}	The motivation for these
		combination can be found in
(a) a first memory having one or	D3, col. 2, ll. 1-15; col. 3, ll. 58-	Claim 1, above.
more locations storing audio	62; col. 4., II. 53-63.	
data regarding telephone call		
segments relating to one or more	D4, col. 3, 11. 30-54; col. 4, 11.	
telephone calls;	16-66.	
(b) a second memory having one	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
or more locations storing data	col. 7, II. 27-62; col. 13 II. 19-25;	one of ordinary skill in the art to
regarding telephony events	col. 15, ll. 27-60.	combine DI and/or D2 with D3
associated with the telephone call segments, said data	TY2 mg 5 11 6 22 and 22 11	and/or D4. The motivation for
regarding telephony events	D2, col. 5, II. 6-32; col. 22, II. 18-21; col. 22, II. 52-56; col. 25,	this combination is provided in
being received from a plurality	18-21; 661. 22; H. 32-30; 661, 23;	Claim 1, above.
of sources connected to a		
telephone switching	D3, col. 4, Il. 35-52; col. 7, Il. 7-	
environment, and wherein at	53.	
least one of the sources is a real		' ·
time link and at least one of the	D4, col. 4 ln. 66 – col. 5 ln. 13,	
sources is not a real time link;		
and		

'570 Claim	Frior Art Reference(s)	Invalidity Bases
(c) a processor programmed to	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
identify telephone call segments	62 - col. 4 ln. 17; col. 7, Il. 38-	one of ordinary skill in the art to
that relate to one telephone call	47; col. 11, 11, 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 - col. 14, ln. 59; col. 15, lt.	and/or D4. The motivation for
:	27-60.	this combination is provided in
		Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
}	18-21; col. 22, 11, 52-56; col. 25, ll. 18-29.	1
	11. 18-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	.
	col. 9, 11. 9-58.	
Ì		
	D4, coi. 5 ll. 14-33.	
and to construct a data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
representation of a lifetime of	62 - col. 4 In. 17; col. 7, ll. 27-	one of ordinary skill in the art to
the telephone call, using data	62; col. 11, 11, 34-47; col. 13, in.	combine DI and/or D2 with D3
regarding telephony events	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided in
call segments of the telephone		Claim 1, above.
call.	D2, col. 5, ll. 6-32; col. 22, ll.	<u> </u>
	18-21; col. 22, ll. 52-56; col. 25,	
	11. 18-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11. 9-58; col. 9, In. 60 –	
	col. 11, In. 34.	}
	D4, col. 5 ll. 14-33.	
4. The system of claim 3	D1, col. 3 ln. 7 - col. 4 ln. 36.	This claim is invalid under 35
wherein at least one of the		U.S.C. §102(b) as anticipated by
sources connected to a telephone	D3, col. 3, Il. 29-43.	D3.
switching environment is a CTI		militaria de la lacación de 25
link and at least one of the	D4, col. 3, ll. 11-28.	This claim is invalid under 35 U.S.C. § 102(e) as anticipated by
sources is an SMDR link.		D4.
}		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4,
· ·		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
'		of D3 in combination with D4.
		The motivation for these
·		combination can be found in
		Claim 1, above.
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'570 Claim	Prior Art Reference(s)	Invalidity Bases
5. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more		D3.
segments, comprising:		
		This claim is invalid under 35
		U.S.C. § 192(e) as anticipated by D4.
		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
	·	of DI and/or D2 in combination
1	,	with D3 and/or D4.
[	•	
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		Miles annual 1 of Total
		The motivation for these combination can be found in
•		Claim 1, above,
(a) receiving audio data	D3, col. 2, IL 1-15; col. 3, IL 58-	Claim 1, above,
regarding one or more telephone	62; col. 4., Il. 35-63.	
call segments relating to one or		
more telephone calls,	D4, col. 3, 11. 30-54; col. 4, 11.	
•	16-66; col. 4 ln. 66 – col. 5 ln.	
	13.	
and data regarding telephony	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
events associated with said	col. 7, 11. 27-62; col. 13 11. 19-25;	one of ordinary skill in the art to
telephone call segments;	col. 15, 11. 27-60.	combine D1 and/or D2 with D3
	Do1 6 11 6 201 00 11	and/or D4. The motivation for
	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
}	18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	Claim I, above.
	n. 10-23.	
	D3, col. 4, 11. 35-52.	
		'
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
(b) storing the received audio	D3, col. 2, li. 1-15; col. 3, ll. 58-	•
data regarding telephone call	62; col. 4., 1l. 53-63.	
segments;	D41 2 D 20 54 1 4 3	
	D4, col. 3, ll. 30-54; col. 4, ll.	
(c) storing the received data	16-66. D1, col. 3, ln. 62 col. 4 ln. 17;	It would have been obvious to
regarding telephony events	col. 7, Il. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
associated with said telephone	col. 15, 11. 27-60.	combine D1 and/or D2 with D3
call segments;		and/or D4. The motivation for
	D2, col. 5, 11. 6-32; col. 22, 11.	this combination is provided in
	18-21; col. 22, 11, 52-56; col. 25,	Claim 1, above.
	11. 18-29.	
	D3, col. 4, ll. 35-52.	
1		
•	D4, col. 4 ln, 66 – col. 5 ln. 13.	

'570 Claim	Prior Art Reference(s)	Invalidity Bases
(d) identifying telephone call	D1, col. 2, II. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to one	62 - col. 4 ln. 17; col. 7, ll. 38-	one of ordinary skill in the art to
telephone call; and	47; col. 11, 11, 34-47; col. 13, in.	combine D1 and/or D2 with D3
•	41 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above,
	D2, col. 5, ll. 6-32; col. 22, ll.	,
•	18-21; col. 22, II. 52-56; col. 25,	
	11. 18-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 ll, 14-33.	
(e) constructing a data	D1, col. 2, l1. 22-34; col. 3, ln.	It would have been obvious to
representation of a lifetime of	62 - col. 4 ln. 17; col. 7, ll. 27-	one of ordinary skill in the art to
the telephone call using data	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
regarding telephony events	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided in
call segments of the telephone		Claim 1, above.
call, wherein the data	D2, col. 5, ll. 6-32; col. 22, ll.	
representation comprises (i) a	18-21; col. 22, ll. 52-56; col. 25,	
list of participants in the	11. 18-29.	
telephone call, (ii) a list of	TO 1 6 1 20 1 6 1 6	
telephony events regarding the	D3, col. 5, ln. 30 – col. 6, ln. 6;	
call, (iii) a list containing the	col. 9, 11, 9-58; col. 9, In. 60 –	
time each telephony event occurred, (iv) the start and end	col. 11, ln. 34.	
time of the call, and(v) the start	D4, col. 5 II. 14-33.	
time, end time, and duration of	D4, COI. 3 II. 14-55.	
each telephone call segment.		
6. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more	}	D3.
segments, comprising:		
		This claim is invalid under 35
		U.S.C. § 102(e) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
,		of D1 and/or D2 in combination
		with D3 and/or D4.
		THE SECOND SECON
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
L	l	Claim 1, above.

*570 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data	D3, col. 2, ll. 1-15; col. 3, ll. 58-	
regarding one or more telephone	62; col. 4., 11. 35-63.	
call segments relating to one or	D41 2 B 20 541 4 B	
more telephone calls,	D4, col. 3, ll. 30-54; col. 4, ll. 16-66; col. 4 ln. 66 – col. 5 ln.	
	13.	
and data regarding telephony	D1, col. 3, in, 62 - col. 4 ln. 17;	It would have been obvious to
events associated with said	col. 7, Il. 27-62; col. 13 Il. 19-25;	one of ordinary skill in the art to
telephone call segments;	col. 15, Il. 27-60.	combine D1 and/or D2 with D3
		and/or D4. The motivation for
	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
	18-21; col. 22, 11. 52-56; col. 25,	Claim 1, above.
	11. 18-29.	
}	D3, col. 4, 11. 35-52.	
1	201 001 11 11 00 022	
]	D4, col. 4 ln. 66 - col. 5 ln. 13.	·
(b) storing the received audio	D3, col. 2, ll. 1-15; col. 3, ll. 58-	
data regarding telephone call	62; col. 4., 11. 53-63.	
segments;	754 2 71 20 54 4 11	
	D4, col. 3, II, 30-54; col. 4, II. 16-66.	
(c) storing the received data	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
regarding telephony events	col. 7, ll. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
associated with said telephone	col. 15, 11, 27-60.	combine D1 and/or D2 with D3
call segments;		and/or D4. The motivation for
	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
	18-21; col. 22, il. 52-56; col. 25,	Claim 1, above.
	11. 18-29.	
	D3, col. 4, lf. 35-52.	
	25, 001. 4, 11. 35 022	
	D4, col. 4 ln. 66 - col. 5 ln. 13.	
(d) identifying telephone call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to one	62 - col. 4 ln. 17; col. 7, ll. 38-	one of ordinary skill in the art to
telephone call; and	47; col. 11, 11. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
·	18-21; col. 22, II. 52-56; col. 25,	
	11. 18-29.	
	1	
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 ll. 14-33.	
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'570 Claim	Prior Art Reference(s)	Invalidity Bases
(e) constructing a data	D1, col. 2, II. 22-34; col. 3, In.	It would have been obvious to
representation of a lifetime of	62 - col. 4 ln. 17; col. 7, ll. 38-	one of ordinary skill in the art to
the telephone call using data	47; col. 11, ll. 34-47; col. 13, in.	combine D1 and/or D2 with D3
regarding telephony events	41 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided in
call segments of the telephone		Claim I, above.
call, wherein said data	D2, col. 5, ll. 6-32; col. 22, ll.	_
representation comprises, for	18-21; col. 22, ll. 52-56; col. 25,	_
each segment of the call, the	11. 18-29.	
location of the stored audio data		
of that segment and the start	D3, col. 4, ll. 35-52; col. 5, ln.	
time, end time, and duration of	30 – col. 6, ln. 6; col. 9, II. 9-58;	
that segment.	col. 9, ln. 60 – col. 11, ln. 34.	
	   TD4 agl 5    14 22	
7. A method for recording	D4, col. 5 ll. 14-33.	This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more segments, comprising:		D3.
naPromeri annihitatiti		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
,		This claim is invalid under 35
		U.S.C. § 103 as abvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim I, above.
(a) receiving audio data	D3, col. 2, Il. 1-15; col. 3, Il. 58-	
regarding one or more telephone	62; col. 4., ll. 35-63.	
call segments relating to one or		
more telephone calls,	D4, col. 3, 11, 30-54; col. 4, 11.	
	16-66.	
and data regarding telephony	D1, col. 3, ln. 62 – col. 4 ln. 17;	It would have been obvious to
events associated with said	col. 7, 1l. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
telephone call segments, wherein	col. 15, ll. 27-60.	combine D1 and/or D2 with D3
the data regarding telephony	7301 6 H 6 50:1 00 H	and/or D4. The motivation for
events is received from a	D2, col. 5, II, 6-32; col. 22, II.	this combination is provided in
plurality of sources connected to	18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	Claim 1, above.
a telephone switching environment, wherein at least	11. 10-29.	
one of the sources is a real time	D3, col. 2, ll. 1-15; col. 3, ll. 58-	}
link and at least one of the	62; col. 4., 11. 53-63, col. 7, 11. 7-	
sources is not a real time link;	53.	
·	D4, col. 4 ln. 66 - col. 5 ln. 13.	
	1 '	

'570 Claim	Prior Art Reference(s)	Invalidity Bases
(b) storing the received audio data regarding telephone call segments;	D3, col. 2, II. 1-15; col. 3, II. 58- 62; col. 4., II. 53-63.	:
	D4, col. 3, II. 30-54; col. 4, II. 16-66.	
(c) storing the received data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60. D2, col. 5, ll. 6-32; col. 22, ll.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in
	18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	Claim I, above.
	D3, col. 4, ll. 35-52.  D4, col. 4 ln. 66 – col. 5 ln. 13.	
(d) identifying telephone call segments that relate to one telephone call; and	D1, col. 2, il. 22-34; col. 3, in. 62 - col. 4 in. 17; col. 7, il. 38-47; col. 11, il. 34-47; col. 13, in. 41 - col. 14, in. 59; col. 15, il. 27-60.  D2, col. 5, il. 6-32; col. 22, il. 18-21; col. 22, il. 52-56; col. 25, il. 18-29.  D3, col. 5, in. 30 - col. 6, in. 6; col. 9, il. 9-58.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
(e) constructing a data representation of a lifetime of the telephone call using data regarding telephony events associated with the telephone call segments of the telephone call.	D4, col. 5 ll. 14-33.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27- 62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6;	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
	col. 9, II. 9-58; col. 9, In. 60 col. 11, In. 34.  D4, col. 5 II. 14-33.	·

'570 Claim	Prior Art Reference(s)	Invalidity Bases
8. The method of claim 7	D1, col. 3 ln. 7 - col. 4 ln. 36.	This claim is invalid under 35
wherein at least one of the		U.S.C. §102(b) as anticipated by
sources connected to a telephone	D3, col. 3, 11. 29-43.	D3.
switching environment is a CTI		i
link and at least one of the	D4, col. 3, ll. 11-28.	This claim is invalid under 35
sources connected to a telephone switching environment is an		U.S.C. § 102(e) as anticipated by D4.
SMDR link.		<b>\$</b>
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
· ·		of D1 and/or D2 in combination with D3 and/or D4.
	'	
		This claim is invalid under 35
• .		U.S.C. §103 as obvious in view
		of D3 in combination with D4,
•		The motivation for these
		combination can be found in
		Claim 1, above.

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'345 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079,	,
	priority date of Aug. 10, 1990,	
	and issue date of Sep. 10, 1991.	
	(WSNSDE0003251-72) D1 🗸	
	discloses a method and apparatus	
	for matching call records with	
	corresponding PBX data using a	
	probability factor.	
	D2; U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
	issue date of Dec. 14, 1999.	
	(WSNSDE0005882-925) D2	
	discloses an apparatus and	
	method for exchanging	
	telephone call information	
	between two computers.	
	D3: U.S. Patent No. 5,559,875,	
1	priority date of Jul. 31, 1995,	
	and issue date of Sep. 24, 1996.	•
	(W\$NSDE0004992-5027) D3 V	
1	discloses a method and apparatus	
	for recording and playback of	
	audio conferences.	
	D4: U.S. Patent No. 5,982, 857,	
	priority date of Oct. 17, 1994,	
	and issue date of Nov. 9, 1999.	
	(WSNSDE0005823-37) D4	
1	discloses a system and method	
	for recording and playback of	
	telephone calls.	

'345 Claim	Prior Art Reference(s)	Invalidity Bases
A system for recording information regarding telephone calls with three or more participants and comprising one		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
or more telephone call segments, comprising:		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
	-	D1 and D2 teach storing various types of telephony data. D3 and D4 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2 could be stored in the data storage systems disclosed in D3 and/or D4. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.
,	<u>-</u>	Furthermore, one of skill in the art would recognize that the similarities in the teachings of DI and D2, as well as the similarities in the teachings of D3 and D4, allow for the
		combination of D1 and D2, as well as the combination of D3 and D4. The motivation for these combinations would be to provide interoperability between the similar systems disclosed in these references.
(a) a first memory having one or more locations storing audio data of telephone call segments	D3, col. 2, il. 1-15; col. 3, il. 58-62; col. 4., il. 53-63.	
	D4, col. 3, ll. 30-54; col. 4, ll. 16-66.	

5345 Claim	Prior Art Reference(s)	Invalidity Bases
(b) a second memory having one	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
or more locations storing data	col. 7, ll. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
regarding telephony events	col. 15, II. 27-60.	combine D1 and/or D2 with D3
associated with the telephone		and/or D4. The motivation for
call segments; and	D2, col. 5, 11, 6-32; col. 22, 11,	this combination is provided
	18-21; col. 22, ll. 52-56; col. 25,	above.
	II. 18-29.	]
ł	D3, col. 4, ll. 35-52.	
	135, 001. 4, 11. 33-32.	
İ	D4, col. 4 ln. 66 - col. 5 ln. 13.	
(c) a processor programmed to:	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
(i) identify telephone call	62 - col. 4 In. 17; col. 7, 11. 38-	one of ordinary skill in the art to
segments that relate to the same	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
telephone call and	41 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided
		above.
	D3, col. 5, in. 30 - col. 6, in. 6;	7
	col. 9, 11. 9-58.	It would have been obvious to one of ordinary skill in the art to
	D4, col. 5 ll. 14-33.	combine D3 and D4. The
	D4, coi. 5 ii. 14-55.	motivation for this combination
		is provided above.
(ii) construct a data	D3, col. 5, ln. 30 - col. 6, ln. 6;	It would have been obvious to
representation of lifetimes of the	col. 9, ll. 9-58; col. 9, ln. 60 -	one of ordinary skill in the art to
telephone calls that have three or	col. 11, ln. 34.	combine D1 and/or D2 with D3
more participants, wherein said		and/or D4. The motivation for
data representations are		this combination is provided
constructed using data regarding		above.
telephony events associated with		
the telephone call segments.		It would have been obvious to one of ordinary skill in the art to
		combine D3 and D4. The
ļ		motivation for this combination
}		is provided above.
2. The system of claim 1	D1, col. 3, ln. 62 - col. 4 ln. 17;	This claim is invalid under 35
wherein the data representation	col. 7, 11. 27-62; col. 13 11. 19-25;	U.S.C. §102(b) as anticipated by
of each telephone call comprises	col. 15, Il. 27-60.	D3.
(i) a list of participants in the	•	
telephone call; (ii) a list of	D2, col. 5, ll. 6-32; col. 22, ll.	This claim is invalid under 35
telephony events regarding the	18-21; col. 22, ll. 52-56; col. 25,	U.S.C. §103 as obvious in view
call; (iii) a list containing the	11. 18-29.	of D1 and/or D2 in combination
time each telephony event	D3, col. 5, ln. 30 - col. 6, ln. 6;	with D3 and/or D4.
occurred; and (iv) the start and	col. 9, 11, 9-58; col. 9, in, 60 –	This claim is invalid under 35
end time of the call.	col. 11, in. 34.	U.S.C. \$103 as obvious in view
	GOLD ALL MILLOTT	of D3 in combination with D4.
	D4, col. 5 il. 14-33.	Mar Service (A. Sec.
		The motivation for these
		combination can be found in
		Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
3. The system of claim 1	D3, col. 4, ll. 35-52; col. 5, ln.	This claim is invalid under 35
wherein the data representation	30 - col. 6, ln. 6; col. 9, II. 9-58;	U.S.C. §102(b) as anticipated by
of each telephone call	col. 9, ln. 60 - col. 11, ln. 34.	D3.
comprises, for each segment of		1 25.
the call, the location of the	D4, col. 5 ll. 14-33.	This claim is invalid under 35
stored audio data of that		U.S.C. §103 as obvious in view
segment,	•	of D1 and/or D2 in combination
<b>3</b>	i	with D3 and/or D4.
	İ	will D3 alloy D4.
		This claim is invalid under 35
· ·		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
	•	combination can be found in
		combination can be found in
4. The system of claim 1	D3, Fig. 1.	Claim 1, above. This claim is invalid under 35
wherein the first memory and	D3, 1 ig. 1.	
the second memory are the	D4, Fig. 1.	U.S.C. §102(b) as anticipated by D3.
same.	124, Fig. 1.	D3.
		This stains to town 37 1 1 one
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
	-	with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4,
		or Do in combination with D4,
		The motivation for these
		combination can be found in
		Claim 1, above.
5. The system of claim 1	D2, col. 5, 11. 6-32.	This claim is invalid under 35
wherein the processor is	-	U.S.C. §102(b) as anticipated by
comprised of a plurality of	D3, Fig. 1,	D3.
physically separated		
components.	D4, Fig. 1.	This claim is invalid under 35
	•	U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
•		with D3 and/or D4.
	·	
ł		This claim is invalid under 35
· .		U.S.C. §103 as obvious in view
		of D3 in combination with D4;
	·	
	· 1	The motivation for these
		combination can be found in
		Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
6. The system of claim 3	D3, col. 2, ll. 1-15; col. 3, ll. 58-	This claim is invalid under 35
wherein the location of the	. 62; col. 4., ll. 53-63.	U.S.C. §102(b) as anticipated by
stored audio data of each		D3.
segment comprises a location of	D4, col. 4, In. 16 - col. 5 ln. 33.	
a .WAY file containing the		This claim is invalid under 35
audio data.		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
	·	
	•	This claim is invalid under 35
	1	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The westless for these
•	i	The motivation for these combination can be found in
		Claim 1, above.
7 The	D2 -al 2 II 1 15: aal 2 II 50	This claim is invalid under 35
7. The system of claim 6	D3, col. 2, Il. 1-15; col. 3, Il. 58-62; col. 4, Il. 53-63.	U.S.C. §102(b) as anticipated by
wherein the data representation of a telephone call further	02, col. 4., ii. 33-03.	D3.
comprises an offset within the	D4, col. 4, ln. 16 - col. 5 ln. 33.	1 23.
.WAV file to the start of the	D+, cot, +, m. 10 · cot. 5 m. 55.	This claim is invalid under 35
stored audio data.	ţ	U.S.C. § 103 as obvious in view
atorea andro data.	]	of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	}	The motivation for these
		combination can be found in
		Claim 1, above.
8. The system of claim 1	D2, col. 4 ln. 59 - col. 5 ln. 5.	This claim is invalid under 35
wherein the data regarding	ma m .	U.S.C. §102(b) as anticipated by
telephony events is received	D3, Fig. 1.	D3.
from a plurality of sources	DA Tile 6	This claim is invalid under 35
connected to a telephone	D4, Fig. 6.	U.S.C. §103 as obvious in view
switching environment.		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
1.	-	U.S.C. §103 as obvious in view
·		of D3 in combination with D4.
	1	
		The motivation for these
Antonia de la la la la la la la la la la la la la	Assert Same	combination can be found in
		Claim I, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
9. The system of claim 1 further	D2, Figs. 13-18.	This claim is invalid under 35
comprising display software that		U.S.C. §102(b) as anticipated by
uses said data representation to	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
display a graphical representation of said telephone call.	14; col. 9., in. 60 – col. 11, ln. 22.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination
		with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
10. The system of claim 2	D2, Figs. 13-18.	This claim is invalid under 35
further comprising display		U.S.C. §102(b) as anticipated by
software that uses a data representation of a telephone call	D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., In. 60 – col. 11, In.	D3.
to display a graphical	22.	This claim is invalid under 35
representation of said telephone		U.S.C. §103 as obvious in view
call.		of D1 and/or D2 in combination with D3 and/or D4.
•		This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
11. The system of claim 10 wherein the graphical	D2, Figs. 13-18.	This claim is invalid under 35
representation comprises a	D3, Figs. 9A; 9B, 10, 11, 12, 13,	U.S.C. §102(b) as anticipated by D3.
representation of each segment	14; col. 9., ln. 60 – col. 11, ln.	] D3,
of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
,		of D1 and/or D2 in combination with D3 and/or D4,
		This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these
		combination can be found in Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
	D2, Figs. 13-18.	This claim is invalid under 35
12. The system of claim 10	να, ι.ιξα. 13-10.	
wherein the graphical	DO 71 01 07 10 11 10 10	U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., ln. 60 – col. 11, ln.	
time of each segment of the call.	22.	This claim is invalid under 35
• • • • • • • • • • • • • • • • • • • •		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		WILL DO BROUGT D4.
		This claim is invalid under 35
	}	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
12 (The material of 11-3-10)	D1 4-1 16 11 09 60	
13. The system of claim 9	D1, col. 15, ll. 27-60.	This claim is invalid under 35
wherein the display software		U.S.C. §102(b) as anticipated by
further displays a table	D2, Figs. 20A, 20B, 21, 22.	D3.
comprising data from the data		
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
} *	14; col. 9., ln. 60 - col. 11, ln.	U.S.C. §103 as obvious in view
[	22.	of D1 and/or D2 in combination
<b>.</b>	{ ~~`	with D3 and/or D4.
·		With D3 and OI D4.
	į	This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		<b>_</b>
	l	The motivation for these
		combination can be found in
		Claim I, above.
14. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls with three or more		D3.
participants and comprising one		•
or more participants and		This claim is invalid under 35
comprising one or more		U.S.C. §102(e) as anticipated by
		D4.
telephone call segments,	1	, 74°
comprising:		701.51.5 v. 1 1 1 2.7
		This claim is invalid under 35
1	•	U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
J.	1	with D3 and/or D4.
La maria		
		This claim is invalid under 35
		This claim is invalid under 35 U.S.C. \$103 as obvious in view
		U.S.C. §103 as obvious in view
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		U.S.C. § 103 as obvious in view of D3 in combination with D4.
		U.S.C. § 103 as obvious in view of D3 in combination with D4.  The motivation for these
		U.S.C. § 103 as obvious in view of D3 in combination with D4.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data	D3, col. 2, Il. 1-15; col. 3, Il. 58-	
regarding one or more telephone	62; col. 4., 11, 53-63.	
call segments;	,	
	D4, col. 3, 11. 30-54; col. 4, 11.	•
	16-66.	
(b) receiving data regarding	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
telephony events associated with	col. 7, ll. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
said telephone call segments;	col. 15, 1l. 27-60.	combine D1 and/or D2 with D3
		and/or D4. The motivation for
·	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
	18-21; col. 22, ll. 52-56; col. 25,	Claim 1, above.
	il. 18-29.	·
	D3, col. 4, il. 35-52.	İ
	D3, cor. 4, 11. 33-32.	İ
	D4, col. 4 ln. 66 - col. 5 ln. 13.	
(c) storing the received audio	D3, col. 2, Il. 1-15; col. 3, Il. 58-	
data regarding telephone call	62; col. 4., 11. 53-63.	
segments;		
· ·	D4, col. 3, 1l. 30-54; col. 4, 1l.	•
	16-66.	
(d) storing the received data	Dl, col. 3, in, 62 - col. 4 ln. 17;	It would have been obvious to
regarding telephone events	col. 7, Il. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
associated with said telephone call segments;	col. 15, Il. 27-60.	combine D1 and/or D2 with D3 and/or D4. The motivation for
can segments;	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
·	18-21; col. 22, II. 52-56; col. 25,	Claim I, above.
	11. 18-29.	CHAIN AY HOO YOU
	D3, col. 4, II. 35-52.	
		·
	D4, col. 4 ln. 66 - col. 5 ln. 13.	
(e) identifying telephone call	Di, col. 2, II. 22-34; col. 3, In.	It would have been obvious to
segments that relate to the same	62 - col. 4 ln. 17; col. 7, II. 38-	one of ordinary skill in the art to
telephone call; and	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 - col. 14, ln. 59; col. 15, ll. 27-60.	and/or D4. The motivation for this combination is provided in
	21-00.	Claim 1, above.
	D3, col. 5, ln. 30 col. 6, ln. 6;	Cimili I, abbvoi
1	col. 9, 11, 9-58,	
į		
	D4, col. 5 ll. 14-33.	
(f) constructing data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
representations of lifetimes of	62 - col. 4 ln. 17; col. 7, il. 27-	one of ordinary skill in the art to
telephone calls, wherein said	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
data representations are	19 col. 14, In. 59; col. 15, Il. 27-60.	and/or D4. The motivation for
constructed using data regarding telephony events associated with		this combination is provided in Claim 1, above.
telephone call segments.	D3, col. 5, ln. 30 - col. 6, ln. 6;	Cimin 1, and 40.
Assentation of political	col. 9, 11. 9-58; col. 9, In. 60	
	col. 11, ln. 34.	}
•		
	D4, col. 5 ll. 14-33,	

'345 Claim	Prior Art Reference(s)	Invalidity Bases
15. The method of claim 14 wherein each data representation of a telephone call comprises: (i)	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
a list of participants in the telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event	D2, col. 5, ii. 6-32; col. 22, ii. 18-21; col. 22, il. 52-56; col. 25, il. 18-29.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
occurred; and (iv) the start and end time of the call.	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 – col. 11, ln. 34.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
	D4, col. 5 ll. 14-33.	This claim is invalid under 35 U.S.C. § 103 as obvious in view of D3 in combination with D4.
	·	The motivation for these combination can be found in Claim 1, above.
16. The method of claim 14 wherein each data representation of a telephone call comprises, for each segment of the call, a	D3, col. 4, ll. 35-52; col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 – col. 11, ln. 34.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
location of stored audio data if that segment.	D4, col. 5 11, 14-33.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
	·	This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
17. The method of claim 14 wherein the received audio data and the data regarding telephony	D3, Fig. 1. D4, Fig. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
events are stored in the same memory.		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
18. The method of claim 14 wherein each data representation is constructed by a plurality of physically separated processors.	D2, col. 5, ll. 6-32. D3, Fig. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
physically separated processors.	D4, Fig. 1.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
	·	This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.

...

'345 Claim	Prior Art Reference(s)	Invalidity Bases
19. The method of claim 16 wherein the location of the stored audio data of each	D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
segment comprises a location of a .WAV file containing the audio data.	D4, col. 4, ln. 16 - col. 5 ln. 33.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
	·	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
	·	This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
20. The method of claim 19 wherein a data representation further comprises an offset	D3, col. 2, Il. 1-15; col. 3, Il. 58-62; col. 4, Il. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
within the .WAV file to start of the stored audio data.	D4, col. 4, ln. 16 - col. 5 ln. 33.	This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.
'		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
·		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.

•		
'345 Claim .	Prior Art Reference(s)	Invalidity Bases
21. The method of claim 14	D2, col. 4 ln. 59 - col. 5 ln. 5.	This claim is invalid under 35
wherein data regarding		U.S.C. §102(b) as anticipated by
telephony events is received	D3, Fig. 1.	D3.
from a plurality of sources	20,125,11	1
connected to a telephone	D4, Fig. 6.	This claim is invalid under 35
switching environment.	D4, 115. 01	U.S.C. §102(e) as anticipated by
SAMOUNTS CHANDITICEUR.		D4.
·		54.
	+	This claim is invalid under 35
		U.S.C. §103 as obvious in view
}		of D1 and/or D2 in combination
•		with D3 and/or D4.
}		with 155 and/of 154.
}		This claim is invalid under 35
		U.S.C. §103 as obvious in view
·		of D3 in combination with D4.
		or D3 in comornagon with D4.
		Th
		The motivation for these
		combination can be found in
		Claim 1, above.
22. The method of claim 14	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., in. 60 - col. 11, in.	
graphical representation of the	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	,	of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	}	
ł.		The motivation for these
		combination can be found in
		Claim 1, above.
23. The method of claim 15	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using sald data representation of	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
. a telephone call to display a	14; col. 9., ln. 60 - col. 11, ln.	1
graphical representation of the	22.	This claim is invalid under 35
telephone call.	,	U.S.C. §103 as obvious in view
<u> -</u>		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
	† Committee (1994) (1994) (1994)	of D3 in combination with D4.
1		Anna Carlotte Manager Charles In
		The motivation for these
		combination can be found in
1		Claim 1, above.
<u> </u>	<u> </u>	1 13.man.in.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
24. The method of claim 23	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment of the call.	14; col. 9., in. 60 – col. 11, in.	man
or me can.	22,	This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination with D3 and/or D4.
		WILL DO ALLOW D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4,
	·	
		The motivation for these
		combination can be found in
25. The method of claim 23	N3 E 12 18	Claim 1, above.
wherein the graphical	D2, Figs. 13-18.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., ln. 60 - col. 11, ln.	25.
time of each segment of the call.	22.	This claim is invalid under 35
<u> </u>	·	U.S.C. §103 as obvious in view
		of DI and/or D2 in combination
		with D3 and/or D4.
	i	This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
1		or D3 in combination with D4.
į		The motivation for these
<u> </u>		combination can be found in
		Claim 1, above.
26. The method of claim 22	D1, col. 15, ll. 27-60.	This claim is invalid under 35
further comprising the step of displaying a table comprising	D2 Eins 204 20B 21 02	U.S.C. §102(b) as anticipated by
dapaying a mole comprising data from the data	D2, Figs. 20A, 20B, 21, 22.	D3.
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
	14; col. 9., ln. 60 - col. 11, ln.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination
	-	with D3 and/or D4.
	1	PM-11-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-
		This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
		ox 123 m comomanon with 124.
		The motivation for these
	]	combination can be found in
Latina Anna Latina Contraction	<u> </u>	Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
27. A system for recording		This claim is invalid under 35
information regarding telephone	,	U.S.C. §102(b) as anticipated by
calls comprising one or more	,	D3.
telephone call segments, wherein	,	
said calls comprise calls wherein		This claim is invalid under 35
at least one participant	·	U.S.C. §102(e) as anticipated by
participates in a plurality of	· ·	D4
segments, comprising:	<b>[</b>	
		This claim is invalid under 35
		U,S.C. §103 as obvious in view
		of DI and/or D2 in combination
		with D3 and/or D4.
	·	This claim is invalid under 35
		U.S.C. §103 as obvious in view
!	į	of D3 in combination with D4.
	İ	The motivation for these
		combination can be found in
		Claim 1, above.
(a) a first memory having one or	D3, col. 2, ll. 1-15; col. 3, ll. 58-	
more locations storing audio	62; col. 4., 11. 53-63.	
data regarding telephone call		
segments;	D4, col. 3, 11, 30-54; col. 4, 11.	
	16-66.	
(b) a second memory having one	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
or more locations storing data	col. 7, II. 27-62; col. 13 II. 19-25;	one of ordinary skill in the art to
regarding telephony events	col. 15, 11. 27-60.	combine D1 and/or D2 with D3
associated with telephone call		and/or D4. The motivation for
segments; and	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
	18-21; col. 22, 11. 52-56; col. 25,	Claim 1, above.
	1L 18-29.	
	D3, col. 4, ll. 35-52.	
		,
	D4, col. 4 ln. 66 – col. 5 ln. 13.	Te would have been abuinted to
(c) a processor programmed to:	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to one of ordinary skill in the art to
(i) identify telephone call	62 - col. 4 ln. 17; col. 7, 11. 38-	combine D1 and/or D2 with D3
segments that relate to the same	47; col. 11, ll. 34-47; col. 13, ln.	and/or D4. The motivation for
telephone call;	41 - col. 14, ln. 59; col. 15, ll. 27-60.	this combination is provided in
	47-00	Claim 1, above.
	D3, col. 5, ln. 30 - col. 6, ln. 6;	Company of months.
	col. 9, 11, 9-58.	
	More of the a-page	
<b></b>	D4, col. 5 Il. 14-33.	
		<u> </u>

345 Claim	Prior Art Reference(s)	Invalidity Bases
(ii) identify multiple call	DI, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that have the same	62 - col. 4 ln. 17; col. 7, ll. 38-	one of ordinary skill in the art to
participant; and	47; col. 11, Il. 34-47; col. 13, In.	combine D1 and/or D2 with D3
•	41 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
•	·	Claim 1, above.
	D3, col. 5, In. 30 – col. 6, ln. 6;	
	col. 9, 11, 9-58; col. 9, ln. 60	It would have been obvious to
	col. 11, ln. 34.	one of ordinary skill in the art to combine D3 and D4. The
	D4, col. 5 ll. 14-33.	motivation for this combination
		is provided in Claim 1, above.
(iii) construct data	D1, col. 2, 11, 22-34; col. 3, ln.	It would have been obvious to
representations of lifetimes of	62 - col. 4 ln. 17; col. 7, ll. 27-	one of ordinary skill in the art to
telephone calls using data	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
regarding telephony events	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
associated with telephone call	27-60.	this combination is provided in
segments.		Claim 1, above.
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11, 9-58; col. 9, In. 60 -	
	col. 11, ln. 34.	
	D4, col. 5 ll. 14-33.	
28. The system of claim 27	D1, col. 2, ll. 22-34; col. 3, in.	This claim is invalid under 35
wherein a data representation of	62 - col. 4 in. 17; col. 7, ll. 27-	U.S.C. §102(b) as anticipated by
a telephone call comprises: (i) a	62; col. 11, il. 34-47; col. 13, ln.	D3.
list of participants in the	19 - col. 14, ln. 59; col. 15, ll.	
telephone call; (ii) a list of	27-60.	This claim is invalid under 35
telephony events regarding the		U.S.C. §102(e) as anticipated by
call; (iii) a list containing the	D2, col. 5, ll. 6-32; col. 22, ll.	D4.
time each telephony event	18-21; col. 22, ll. 52-56; col. 25,	
occurred; and (iv) the start and	11. 18-29.	This claim is invalid under 35
end time of the call.		U.S.C. §103 as obvious in view
	D3, col. 5, ln. 30 - col. 6, ln. 6;	of D1 and/or D2 in combination
	col. 9, 11. 9-58; col. 9, ln. 60 -	with D3 and/or D4.
	col. 11, ln. 34.	
		This claim is invalid under 35
	D4, col. 5 ll. 14-33.	U.S.C. §103 as abvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
29. The system of claim 27	D3, col. 4, ll. 35-52; col. 5, ln.	This claim is invalid under 35
wherein each data representation	30 - col. 6, ln. 6; col. 9, ll. 9-58;	U.S.C. §102(b) as anticipated by
of a telephone call comprises,	col. 9, ln. 60 – col. 11, ln. 34.	D3,
for each segment of the call, a		
location of the stored audio data	D4, col. 5 ll. 14-33.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
of that segment.		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
•	ļ	of D1 and/or D2 in combination with D3 and/or D4.
		with D3 end/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
	1	combination can be found in
		Claim 1, above.
30. The system of claim 27	D3, Fig. 1.	This claim is invalid under 35
wherein the first memory and		U.S.C. §102(b) as anticipated by
the second memory are the	D4, Fig. 1.	D3.
same.		mula atalan in inspelled and an 35
		This claim is invalid under 35 U.S.C. §102(c) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
	***	of D1 and/or D2 in combination
\		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
1		of D3 in combination with D4.
		The motivation for these
	1	combination can be found in
		Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
31. The system of claim 27 wherein the processor is comprised of a plurality of	D3, Fig. 1. D4, Fig. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
physically separated components.	:	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
·		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
32. The system of claim 29 wherein the location of the stored audio data of each	D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
segment comprises a location of a .WAV file containing the audio data.	D4, col. 4, ln. 16 - col. 5 ln. 33.	This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim I, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
33. The system of claim 32	D3, col. 2, il. 1-15; col. 3, il. 58-	This claim is invalid under 35
wherein a data representation of	62; col. 4., 11. 53-63.	U.S.C. \$102(b) as anticipated by
a telephone call further		D3
comprises an offset within the	D4, col. 4, ln. 16 - col. 5 ln. 33.	
,WAV file to the start of the		This claim is invalid under 35
stored audio data.		U.S.C. §102(e) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. § 103 as obvious in view of D1 and/or D2 in combination
. '	1	with D3 and/or D4,
		WILL DO SHOUT D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	1	
		The motivation for these
		combination can be found in
		Claim 1, above.
34. The system of claim 27	D2, col. 5, ll. 6-32.	This claim is invalid under 35
wherein data regarding		U.S.C. §102(b) as anticipated by
telephony events is received	D3, Fig. 1.	D3.
from a plurality of sources		
connected to a telephone	D4, Fig. 6.	This claim is invalid under 35
switching environment.		U.S.C. §102(e) as anticipated by
		D4.
		This claim is invalid under 35
1	•	U.S.C. \$103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
	·	
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
,		of D3 in combination with D4.
1		The motivation for these
		combination can be found in
	}	Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
35. The system of claim 27	D2, Figs. 13-18.	This claim is invalid under 35
further comprising display	,	U.S.C. §102(b) as anticipated by
software that uses a data	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of a telephone call	14; col. 9., in, 60 - col. 11, in.	
to display a graphical	22.	This claim is invalid under 35
representation of said telephone		U.S.C. §103 as obvious in view
call.		of D1 and/or D2 in combination
1		with D3 and/or D4.
ł		
İ		This claim is invalid under 35
		U.S.C. \$103 as obvious in view
1		of D3 in combination with D4.
	1	1_, , , , ,
i		The motivation for these
	Į	combination can be found in
26 77	DO E: 12.18	Claim 1, above. This claim is invalid under 35
36. The system of claim 28	D2, Figs. 13-18.	U.S.C. §102(b) as anticipated by
further comprising display software that uses a data	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of a telephone call	14; col. 9., ln. 60 – col. 11, ln.	D3.
to display a graphical	22.	This claim is invalid under 35
representation of said telephone	LE.	U.S.C. §103 as obvious in view
call.		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	}	1
		The motivation for these
		combination can be found in
		Claim 1, above.
37. The system of claim 36	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical	TOO NO. OA OTO 10 11 10 10	U.S.C. §102(b) as anticipated by
representation comprises a representation of each segment	D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., ln. 60 – col. 11, ln.	D3.
of the call.	22.	This claim is invalid under 35
or the cert.	<i>EL</i> .	U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
·		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		1 <u>-</u>
Tell Control of the C		The motivation for these
The market was a street		combination can be found in
	1 / / / / / / / / / / / / / / / / / / /	Claim 1, above.

'345 Claim -	Prior Art Reference(s)	Invalidity Bases
38. The system of claim 36	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., ln. 60 - col. 11, ln.	<u>.</u>
time of each segment of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
	•	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		MI
		The motivation for these
		combination can be found in
20 The system of claim 25	D1, col. 15, ll. 27-60.	Claim 1, above. This claim is invalid under 35
39. The system of claim 35 wherein the display software	D1, COI, 13, II. 27*00.	U.S.C. §102(b) as anticipated by
further displays a table	D2, Figs. 20A, 20B, 21, 22.	D3:
comprising data from the data	DZ, 11ga. ZOF, ZOD, ZI, ZZ.	25.
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
}	14; col. 9., ln. 60 - col. 11, ln.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination
		with D3 and/or D4.
•		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
,		of D3 in combination with D4.
		(T)
		The motivation for these combination can be found in
	!	Claim 1, above.
40. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more		D3.
telephone call segments, wherein		
said calls comprise calls wherein		This claim is invalid under 35
at least one participant	-	U.S.C. §102(e) as anticipated by
participates in a plurality of	,	D4.
segments, comprising:		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
,		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
1		of D3 in combination with D4.
		With the Companies of Aires 1977
1	*	The motivation for these
		combination can be found in
}	,	Claim 1, above.

504F (7)	Dia- Art Poformoo(n)	Invalidity Bases
'345 Claim	Prior Art Reference(s)  D3, col. 2, Il. 1-15; col. 3, Il. 58-	invariony Deacs
(a) receiving audio data	62; col. 4., ll. 53-63.	
regarding one or more telephone	02; 00;, 4., 11: 55-05.	
call segments	D4, col. 3, fl. 30-54; col. 4, li.	į
	16-66.	
. 1 detdies telephone	D1, col. 3, ln. 62 – col. 4 ln. 17;	It would have been obvious to
and data regarding telephone events associated with said	col. 7, Il. 27-62; col. 13 ll. 19-25;	one of ordinary skill in the art to
telephone call segments;	col. 15, 11, 27-60.	combine D1 and/or D2 with D3
icichimie can segueno.	COL: 15, 11, 27 GO	and/or D4. The motivation for
	D2, col. 5, il. 6-32; col. 22, il.	this combination is provided in
	18-21; col. 22, ll. 52-56; col. 25,	Claim I, above.
	ii. 1B-29.	,
,	D3, col. 4, Il. 35-52.	
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
(b) storing the received audio	D3, col. 2, ll. 1-15; col. 3, ll. 58-	
data regarding telephone call	62; col. 4., ll. 53-63.	
segments;	D4, col: 3, ll. 30-54; col. 4, ll.	
	16-66.	
(c) storing the received data	D1, col. 3, ln. 62 - col. 4 ln. 17;	It would have been obvious to
regarding telephony events	col. 7, 11. 27-62; col. 13 11. 19-25;	one of ordinary skill in the art to
associated with said telephone	col. 15, 11. 27-60.	combine D1 and/or D2 with D3
call segments;		and/or D4. The motivation for
	D2, col. 5, 11. 6-32; col. 22, 11.	this combination is provided in
	18-21; col. 22, ll. 52-56; col. 25,	Claim 1, above.
	11. 18-29.	1
	D3, col. 4, ll. 35-52.	
	D4, col. 4 ln. 66 - col. 5 ln. 13.	
(d) identifying telephone call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to one	62 - col. 4 ln, 17; col. 7, 11. 38-	one of ordinary skill in the art to
telephone call;	47; col. 11, 1l. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
1	col. 9, 11. 9-58.	
	D4, col. 5 ll. 14-33.	
(e) identifying multiple call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that have the same	62 - col. 4 ln. 17; col. 7, ll. 38-	one of ordinary skill in the art to
participant; and	47; col. 11, 11. 34-47; col. 13, ln.	combine D1 and/or D2 with D3 and/or D4. The motivation for
	41 - col. 14, In. 59; col. 15, Il.	this combination is provided in
进车,交通	27-60.	Claim 1, above.
	D3, col. 5, ln. 30 - col. 6, ln. 6;	The state of the s
.	col. 9, 11, 9-58; col. 9, 1n, 60 -	It would have been obvious to
	col. 11, in. 34.	one of ordinary skill in the art to
		combine D3 and D4. The
	D4, col. 5 ll. 14-33.	motivation for this combination
		is provided in Claim 1, above.

	'345 Claim	Prior Art Reference(s)	Invalidity Bases
(1	) constructing data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
I	presentations of lifetimes of	62 - col. 4 ln. 17; col. 7, il. 27-	one of ordinary skill in the art to
te	elephone calls, wherein each	62; col. 11, 11. 34-47; col. 13, ln.	combine DI and/or D2 with D3
ď	ata representation of a	19 - col. 14, In. 59; col. 15, Il.	and/or D4. The motivation for
	elephone call is constructed	27-60.	this combination is provided in
u	sing data regarding telephony		Claim 1, above.
	vents associated with the	D3, col. 5, ln. 30 - col. 6, ln. 6;	
te	elephone call segments of the	col. 9, 11, 9-58; col. 9, ln. 60 -	
te	elephone call.	col. 11, ln. 34.	
<u> </u>		D4, col. 5 ll. 14-33.	
	1. The method of claim 40	D1, col. 2, ll. 22-34; col. 3, ln.	This claim is invalid under 35
	vherein a data representation of	62 - col. 4 ln. 17; col. 7, ll. 27-	U.S.C. §102(b) as anticipated by
	telephone call comprises: (i) a	62; col. 11, ll. 34-47; col. 13, ln.	D3.
	ist of participants in the	19 - col. 14, ln. 59; col. 15, ll.	
	elephone call; (ii) a list of	27-60.	This claim is invalid under 35
	elephony events regarding the	70 1 5 11 6 70 - 1 00 11	U.S.C. §102(e) as anticipated by
	all; (iii) a list containing the	D2, col. 5, ll. 6-32; col. 22, ll.	D4.
	ime each telephony event	18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	This claim is invalid under 35
	occurred; and (iv) the start and and time of the call.	п. 16-29.	U.S.C. §103 as obvious in view
5	and time of the cair.	D3, col. 5, in. 30 – col. 6, in. 6;	of D1 and/or D2 in combination
		col. 9, 11. 9-58; col. 9, In. 60 -	with D3 and/or D4.
1		col. 11, ln. 34.	WILL DO ALKNOT D4.
		5011 11, III. 5-7.	This claim is invalid under 35
		D4, col. 5 II. 14-33.	U.S.C. §103 as obvious in view
		_ ,,,	of D3 in combination with D4.
-			The motivation for these
			combination can be found in
L			Claim 1, above.
4	12. The method of claim 40	D3, col. 4, 11. 35-52; col. 5, ln.	This claim is invalid under 35
	wherein a data representation of	30 – col. 6, ln. 6; col. 9, 11. 9-58;	U.S.C. §102(b) as anticipated by
	a telephone call comprises, for	col. 9, ln. 60 - col. 11, ln. 34.	D3.
	each segment of the call, the		
	ocation of the stored audio data	D4, col. 5 ll. 14-33.	This claim is invalid under 35
1	of that segment.	·	U.S.C. §102(e) as anticipated by
			D4.
			This claim is invalid under 35
			U.S.C. §103 as obvious in view
}		1	of D1 and/or D2 in combination
}		İ	with D3 and/or D4.
-1			111111111111111111111111111111111111111
. [	•		This claim is invalid under 35
1	•		U.S.C. §103 as obvious in view
			of D3 in combination with D4.
	•		The motivation for these
			combination can be found in
1			Claim 1, above.

\$\frac{1}{2}

'345 Claim	Prior Art Reference(s)	Invalidity Bases
43. The method of claim 40	D3, Fig. 1.	This claim is invalid under 35
wherein the received audio data		U.S.C. §102(b) as anticipated by
and the data regarding telephony	D4, Fig. 1.	D3.
events is stored in the same		This claim is invalid under 35
memory.		U.S.C. §102(e) as anticipated by D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
	·	of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35
1		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
·		The motivation for these
		combination can be found in
		Claim 1, above.
44. The method of claim 40	D2, col. 5, II. 6-32.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
wherein a data representation of	D3, Fig. 1.	D3.
a telephone call is constructed by a plurality of physically	D3, F18. 11	25.
separated processors.	D4, Fig. 1.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
		D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.

'345 Claim .	Prior Art Reference(s)	Invalidity Bases
45. The method of claim 42 wherein a location of stored audio data of each segment	D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
comprises the location of a .WAV file containing the audio data.	D4, col. 4, in. 16 - col. 5 in. 33.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
46. The method of claim 45 wherein a data representation of a telephone call further	D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
comprises an offset within the .WAV file to the start of the stored audio data.	D4, col. 4, ln. 16 - col. 5 ln. 33.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
47. The method of claim 40	D2, col. 4 ln. 59 - col. 5 ln. 5.	This claim is invalid under 35
wherein data regarding	•	U.S.C. §102(b) as anticipated by
telephony events is received	D3, Fig. 1.	D3.
from a plurality of sources	Ť	ļ
connected to a telephone	D4, Fig. 6.	This claim is invalid under 35
switching environment.		U.S.C. §102(e) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
•		of D1 and/or D2 in combination
		with D3 and/or D4.
·		
,		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
]		combination can be found in
l		Claim 1, above.
48. The method of claim 40	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., ln. 60 - col. 11, ln.	
graphical representation of said	22.	This claim is invalid under 35
telephone call.	•	U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4,
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		of 55 m objectively with 5 m
		The motivation for these
		combination can be found in
		Claim 1, above.
49. The method of claim 41	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
talephone call to display a	14; col. 9., ln. 60 - col. 11, ln.	
graphical representation of said	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	ĺ	of D1 and/or D2 in combination
	1	with D3 and/or D4.
		1_1
	, ,	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	1	of D3 in combination with D4.
· ·	1	The motivation for these
	•	combination can be found in
		Claim 1, above.

'345 Claim	Prior Art Reference(s)	Invalidity Bases
50. The method of claim 49	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical	•	U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment	14; col. 9., ln. 60 - col. 11, ln.	
of the call.	22.	This claim is invalid under 35
***************************************		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
	·	with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
	Į	of D3 in combination with D4.
		or by in compliant on what but
		The motivation for these
		combination can be found in
	i	Claim 1, above.
51 TT	D2, Figs. 13-18.	This claim is invalid under 35
51. The method of claim 49	132, Figs. 13-16.	
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., ln. 60 - col. 11, ln.	
time of each segment of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
1		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
52. The method of claim 48	D1, col. 15, ll. 27-60.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the data		
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
· ·	14; col. 9., ln. 60 - col. 11, ln.	U.S.C. §103 as obvious in view
1	22.	of D1 and/or D2 in combination
		with D3 and/or D4.
		1
1		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	1	
		The motivation for these
		combination can be found in
		Claim 1, above.

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Document2 16

'372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Blue Cross Blue Shield Eclipse, sold	
	in the U.S. before June 2, 1998.	
	D2: "Blue Cross Blue Shield User	
	Guide" (illustrating hardware of D1 sale)	
	(WSNSDE0012983-92)	
	D3: "Application Development Guide - Blue Cross / Blue Shield Eclipse Project	
	Eclipse Modification and Design"	
1	(illustrating hardware of D1 sale)	
	(WSNSDE0012967-82)	
	The Million Live Asses The Live 1 Trans	
·	D4: "Tracking Agent Id through Inter- Site Call Transfers" (illustrating hardware	
	of D1 sale)(WSNSDE0012993-4)	
		,
	D5: "Blue Cross Blue Shield System	
	Diagrams" (illustrating hardware of D1	
	sale)(WSNSDE0013084-	
	7;WSNSDE0013177-83)	
	D6: e1000 Circuit Diagrams (illustrating	
	the hardware of the D1 sale).	
	(WSNSDE0013861-94)	•••
	D7; 'E1000/E500 Recorder; Engineer	
	Familiarisation" (illustrating the hardware	
	of the DI sale.) (WSNSDE0015161-98)	•
	TO 11 0 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
	D8: U.S. Publication No. 2001/0043697 to Cox, published November 22, 2001,	
•	filed on May 11, 1998.	
	(WSNSDE0000874-94)	
1. A multi-stage data	D1: D3, pg. 5; D5.	Claim 1 is invalid under 35 U.S.C.
logging system comprising:	S. C. 174 18. 24 142.	§102(b) as anticipated by D1.
		•
		Claim 1 is invalid under 35 U.S.C.
		§ 102(e) as anticipated by D8.
a) a telecommunications	D1: D3, pgs. 5-6; D5.	
("telecom") stage receiving		
input from a plurality of communication channels;	D8: paras, 46 to 48.	
COMMUNICATION CHAMIOIS		
b) a recorder stage having	D1: D3; pgs. 5-7, and 16; D4; pgs. 3-5;	
one or more recorders, at	D5; D6; D7.	
least one recorder logging data associated with	D9- maron 24 29 20 42 59 71 75	
information transmitted on	D8: paras. 34, 38, 39, 43, 58, 71-75, and 78.	·
at least one of said plurality		• •
of communication channels;	•	}

'372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
c) a distribution stage	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
providing access to data logged in the recorder stage;	700 40 40	
	D8: para. 40-42.	
d) a first interface linking	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
the telecom and the recorder		'
stages and a second interface linking the	D8: FIG. 1; para. 46-48.	,
recorder and the distribution		
stages;		
wherein at least two stages	71.72	
of the system are physically	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
separable and in operation	D8: FIG. 1; para. 30-33.	
can be located wide		
distances apart.	,	
6. The data logging system	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	Claim 6 is invalid under 35 U.S.C.
of claim 1 wherein the		§102(b) as anticipated by D1.
telecom stage provides time stamping of the received	D8: para, 35, 99,	
input.	-	Claim 6 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
-	•	3102(0) as anacipated by Do.
8. The data logging system	D1; D3, Page 5; D5; D6; D7.	
of claim 1 wherein the	D1, D3, Fage 3; D3; D0; D7.	Claim 8 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
recorder stage comprises a	D8: para. 34, 38, 39, 43, 58, and 71-75.	
controller for directing and monitoring recorder stage		Claim 8 is invalid under 35 U.S.C.
operations, and each		§102(e) as anticipated by D8.
recorder comprises;		
b1) a first interface	D1: D6, and D7 pgs. 2-5.	
receiving data from the		
telecom stage;	D8: para. 34, 38, 39, 43, 58, and 71-75.	
b2) a buffer for transitional	D1; D6, and D7 pgs. 2-6, 11-19.	
data storage;	~1, 20, and 27 pgs. 2-0, 11-19.	
,	D8: para. 34, 38, 39, 43, 58, and 71-75.	
b3) a random access storage	D1: D6, and D7 pgs. 2, 5-7, 12, and 16-	, , , , , , , , , , , , , , , , , , ,
device for data storage; and	18.	
b4) a second interface for	The contract of the contract o	į į.
transmitting stored data to the distribution stage	D8: para. 34, 38, 39, 43, 58, and 71-75.	
And the second second second		
9. The data logging system	D1: D6, and D7 pgs. 2, 13-18,	Claim 9 is invalid under 35 U.S.C.
of claim 8 wherein the recorder stage still further	D8: para. 34, 38, 39, 43, 58, and 71-75.	§ 102(b) as unticipated by D1.
comprises an archive	Los para 34, 36, 33, 43, 38, and 71-75.	Claim 9 is invalid under 35 U.S.C.
storage device for archiving		§102(e) as anticipated by D8.
data.	· · · · · · · · · · · · · · · · · · ·	
12. The data logging system		Claim 12 to be wild as de acres of
		Claim 12 is invalid under 35 U.S.C.

'372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
of claim 9 wherein said		§102(b) as obvious over D1.
archive storage device is a	•	1
RAID array.		Claim 12 is invalid under 35 U.S.C.
·		§ 102(b) as obvious over D8.
		It would have been obvious to one of ordinary skill in the art to replace a hard disk drive, as in D1, with a RAID array, as was known in the art, to increase data integrity, data storage capacity, and/or fault-tolerance.  It would have been obvious to one of ordinary skill in the art to replace a hard disk drive, as in D8, with a RAID
		array, as was known in the art, to
		increase data integrity, data storage
		capacity, and/or fault-tolerance.
14. The data logging system		Claim 14 is invalid under 35 U.S.C.
of claim I wherein the		§102(b) as anticipated by D1.
distribution stage comprises:		Claim 14 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.
,		\$102(0) 111 11120171111111111111111111111111111
c1) a first interface	D1: D3, Page 5; D5.	
receiving data from the		
recorder stage;	D8: para. 31, 40-45, 90-94, 108, 109.	
0)	DI DO 0 4 7 DO 5 7 DC	
c2) a controller for directing and monitoring distribution	D1: D2, pgs. 3-4, 7; D3, pgs. 5-7; D5.	
stage operations;	D8: para. 31, 40-45, 90-94, 108, 109.	'
d-g-rr		
c3) a buffer for transitional	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	
data storage; and	DS.	
	D0 21 40 45 00 04 100 100	
	D8: para. 31, 40-45, 90-94, 108, 109.	
c4) a second interface for	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	
distributing data to one or	D5.	
more output channels.	70 41 10 10 00 01 100 100	
	D8: para. 31, 40-45, 90-94, 108, 109.	
15 The data locaing system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 15 is invalid under 35 U.S.C.
of claim 1 wherein the	D5.	§102(b) as anticipated by D1.
distribution stage comprises		
an archive storage device		
for archiving data.		
17 The data taxalan assess		Claim 17 in turnella 9- 35 TT 0.0
17. The data logging system of claim 15 wherein said		Claim 17 is invalid under 35 U.S.C. §102(b) as obvious over D1.
archive storage device is a		8 20-(0) no 00 11003 0101 D1.
RAID array.		It would have been obvious to one of
	·	ordinary skill in the art to replace a

1372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		hard disk drive, as in D1, with a RAID
		array, as was known in the art, to
	· ·	increase data integrity, data storage
•		capacity, and/or fault-tolerance.
19. The data logging system		Claim 19 is invalid under 35 U.S.C.
of claim 1 wherein the		
distribution stage comprises:		§102(b) as anticipated by D1.
distribution stage compilates:		Claim 19 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.
•		0,(-,
an operating system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	
software application and a	D5.	
computer capable of	70 71 40 47 70 04 400 400	
running said software	D8: para. 31, 40-45, 90-94, 108, 109.	
application and accessing		
one or more remote serve		
computers.		
20. The data logging system	DI: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 20 is invalid under 35 U.S.C.
of claim 19 wherein said	D5.	§102(b) as anticipated by D1.
computer is connected to		
said one or more remote	D8: para, 31-33, 44.	Claim 20 is invalid under 35 U.S.C.
server computers via a local		§102(e) as anticipated by D8.
area network.		·
21. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 21 is invalid under 35 U.S.C.
of claim 19 wherein said	D5.	§102(b) as anticipated by D1, or in the
computer is connected to		alternative, under 35 U.S.C. §103 as
said one or more remote	D8: para. 30, 31, 40-45, 90-94, 108, 109.	obvious in view of D1.
server computers via an		00.00=0.00.00.00.00.00.00.00.00.00.00.00
Internet protocol (I/P)		Claim 21 is invalid under 35 U.S.C.
network,		§102(e) as anticipated by D8.
		1
		An Ethernet connects the computer to
		one or more remote servers. It is well
		known to those of ordinary skill in the
·	1	art that Ethernets, as in D1, are
		capable of implementing an Internet
. '		protocol network. Using an Internet Protocol network to connect
•		computers is abvious to those of
•		ordinary skill in the art and is
		commonly used for addressing and
		communicating between computers.
23. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 23 is invalld under 35 U.S.C.
of claim I: Wherein at least	D5.	\$102(b) as anneipated by D1.
one of said first and second		
interfaces is network-based.	D8: para, 30, 31, 40-45, 90-94, 108, 109.	Claim 23 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.
32. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 32 is invalid under 35 U.S.C.
of claim 1, wherein the	D1: D2, pg. 9, D3, pgs. 3-7, D4, pg. 3,	§102(b) as anticipated by D1.
	1	1 2 + A-CAN BO HINTOTHURER ON TOTAL

'372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
distribution stage is implemented as a network server.	D8: para. 40-42.	Claim 32 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
33. The data logging system of claim 32, wherein the network server is a Web server.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 40-42.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1 in view of D8.  Claim 33 is invalid under 35 U.S.C. §102(e) as anticipated by D8.  D8 discloses a call center with call recording capabilities, where the call center is accessible via a web server and a browser. It would have been obvious to one of ordinary skill in the art to utilize a web server to permit remote access, as in D1, from webbased clients, as the world-wide-web is a popular and easily accessible network for remotely connecting to a computer/network.
34. The data logging system of claim 32, wherein the network server is a file server.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 40-42.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D1. Claim 34 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
35. The data logging system of claim 33, wherein users can access the Web server through a browser.	D8: para, 39-42.	Claim 35 is invalid under 35 U.S.C. §103(a) as obvious in view of D1 in combination with D8.  Claim 35 is invalid under 35 U.S.C. §102(e) as anticipated by D8.  D8 discloses a call center with call recording capabilities, where the call center is accessible via a web server and a browser. It would have been obvious to one of ordinary skill in the
43. A data logger, comprising:		art to incorporate browser-based access in D1 because a web server, as in D1, communicates with a browser.  Claim 43 is invalid under 35 U.S.C. \$102(b) as anticipated by D1.  Claim 43 is invalid under 35 U.S.C. \$102(c) as anticipated by D8.
a telecommunication device receiving input from a	D1: D6, and D7 Pages 2-5.	\$ res(c) as animilated by 150.

'372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
plurality of communication channels;	D8: paras, 46 to 48.	·
a processor converting the	DI: D6, and D7 Pages 2-5.	
received input to one or more data formats;	D8: paras. 47 to 52.	
a memory for logging information about the received input, the information comprising data converted to at least one data format;	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5. D8: para. 34-35, 38, 78, and 99.	
a communication path to a communications network; and	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5. D8: para. 40-42.	
a server having access to the memory via the communications network for transferring logged data from one or more of said plurality of communication channels via the communications network to at least one remote user.	D1; D3, pgs. 5-8; D4, pgs. 4-5; D5.  D8; para. 40-42.	
44. The data logger of claim 43 wherein the server is a Web server and the communications network is the Internet.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 40-42.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by DI, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1 in view of D8.  Claim 44 is invalid under 35 U.S.C. §102(c) as anticipated by D8.  D8 discloses a call center with call recording capabilities, where the call
		center is accessible via the Internet, a web server and a browser. It would have been obvious to one of ordinary skill in the art to utilize a web server to permit remote access, as in D1, from Internet-based clients, as the world-wide-web is a popular and easily accessible network for remotely connecting to a computer/network.

**17** 

Document2 17

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'370 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079,	
	priority date of Aug. 10, 1990,	
•	and issue date of Sep. 10, 1991.	
	(WSNSDE0003251-72) D1 🗸	
	for matching call records with	·
	corresponding PBX data using a	}
	probability factor.	
	•	•
+	D2: U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
	issue date of Dec. 14, 1999.	
• •	(WSNSDE0005882-925) D2 V	
	discloses an apparatus and	
	method for exchanging telephone call information	
	between two computers.	
'		
	D3: U.S. Patent No. 5,559,875,	
	priority date of Jul. 31, 1995,	
ł	and issue date of Sep. 24, 1996.	<b>r</b>
	(WSNSDE0004992-5027) D3 🗸	
	discloses a method and apparatus for recording and playback of	
·	audio conferences.	
	EGGIO COMMICHICAGO	
	D4: U.S. Patent No. 5,982, 857,	
	priority date of Oct. 17, 1994,	_
1	and issue date of Nov. 9, 1999.	<b>r</b>
	(WSNSDE0005823-37) D4 V	
	discloses a system and method	
1	for recording and playback of	
	telephone calls.	

Prior Art Reference(s)	Invalidity Bases This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3. This claim is invalid under 35
	U.S.C. §102(b) as anticipated by D3.
	D3.
	This claim is invalid under 35
	TITTO MOUTH IN THARTH BUILD 33
	U.S.C. § 102(e) as anticipated by
	D4.
	J
,	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
	This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
	D1 and D2 teach storing various types of telephony data. D3 and D4 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2 could be stored in the data storage systems disclosed in D3 and/or D4. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.
	Furthermore, one of skill in the art would recognize that the similarities in the teachings of D1 and D2, as well as the similarities in the teachings of D3 and D4, allow for the combination of D1 and D2, as well as the combination of D3 and D4. The motivation for these combinations would be to provide interoperability between the similar systems disclosed in

'370 Claim	Prior Art Reference(s)	Invalidity Bases
(a) constructing a call record for at least one telephone call;	D1, col. 2, Il. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, Il. 27-	It would have been obvious to one of ordinary skill in the art to
ht least one wiephone early	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 - col. 14, ln. 59; col. 15, ll. 27-60.	and/or D4. The motivation for this combination is provided
	27-50.	above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
	18-21; col. 22, II. 52-56; col. 25, II. 18-29.	
	D3, col. 5, ln. 30 – col. 6, ln. 6;   col. 9, ll. 9-58; col. 9, ln. 60 –	
	col. 11, ln. 34.	
	m. 1 # 11 14 00	•
(b) receiving data regarding	D4, col. 5 ll. 14-33. D1, col. 2, il. 22-34; col. 3, in.	It would have been obvious to
telephony events associated with	62 - col. 4 ln. 17; col. 7, il. 27-	one of ordinary skill in the art to
one or more telephone calls;	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3 and/or D4. The motivation for
	19 - col. 14, in. 59; col. 15, il. 27-60.	this combination is provided
		above.
	D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25,	
	11. 18-29.	
	D3, col, 4, 11. 35-52.	
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
(c) matching a received	D1, col. 2, 11, 22-34; col. 3, in.	It would have been obvious to
telephony event with a constructed call record:	62 - col. 4 ln. 17; col. 7, ll. 27- 62; col. 11, ll. 34-47; col. 13, ln.	one of ordinary skill in the art to combine D1 and/or D2 with D3
constructed can record,	19 col. 14, In. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided above.
	D2, col. 5, ll. 6-32; col. 22, ll.	200107
	18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	
	D3, col. 5, in. 30 - col. 6, in. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 II. 14-33.	

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'370 Claim	Prior Art Reference(s)	Torrell Phys. 70
(d) updating the matching call	D1, col. 2, 1l. 22-34; col. 3, ln.	Invalidity Bases It would have been obvious to
record based on the received	62 - col. 4 ln. 17; col. 7, 11. 27-	it would have been obvious to
telephony event data; and	62; col. 11, Il. 34-47; col. 13, In.	one of ordinary skill in the art to
The state of the s	19 - col. 14, ln. 59; col. 15, ll.	combine D1 and/or D2 with D3
	27-60.	and/or D4. The motivation for
•	27-00.	this combination is provided
	D2 -1 5 11 6 20 1 00 7	above,
	D2, col. 5, ll. 6-32; col. 22, ll.	
1	18-21; col. 22, 11. 52-56; col. 25,	
	11. 18-29.	
	Da . 1 5 2 20 2 4 4	
1	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11, 9-58.	ĺ
	754 1 573 14 57	
(e) combining the updated call	D4, col. 5 ll. 14-33.	
record with data indicating the	D3, col. 4, ll, 35-52; col. 5, ln.	It would have been obvious to
location of recorded audio data	30 - col. 6, ln. 6; col. 9, 11. 9-58;	one of ordinary skill in the art to
for the segment of the call, to	col. 9, ln. 60 - col. 11, ln. 34.	combine DI and/or D2 with D3
obtain a master call record	D4 157 (400	and/or D4. The motivation for
representing the lifetime of the	D4, col. 5 II. 14-33.	this combination is provided
telephone call.		abovs.
2. The method of claim 1		
	D4, col. 3 ln. 65 - col. 4 ln. 15.	This claim is invalid under 35
wherein the step of updating the	i	U.S.C. §102(e) as anticipated by
matching call record comprises		D4.
invoking one or more handler		į
routines corresponding to the		This claim is invalid under 35
telephony event.		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		i
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
}		
	j	The motivation for these
		combination can be found in
3. The method of claim 1 further	Di 0 11 25 45	Claim 1, above.
comprising the step of	D1, col. 2, Il. 35-45; col. 4, ln.	This claim is invalid under 35
translating the data regarding	18 - col. 5, in. 50.	U.S.C. §103 as obvious in view
telephony events into a platform		of D1 and/or D2 in combination
specific format.	!	with D3 and/or D4.
speeme format.		<b>F</b>
		This claim is invalid under 35
•		U.S.C. §103 as obvious in view
•	l	of D3 in combination with D4.
		For all the second
		The motivation for these
·		combination can be found in
	<u> </u>	Claim 1, above.

'370 Claim	Prior Art Reference(s)	Invalidity Bases
4. The method of claim 1	D1, col. 2, ll. 22-34; col. 3, ln.	This claim is invalid under 35
wherein in step (c) a confidence	62 - col. 4 in. 17; col. 7, 11. 38-	U.S.C. §103 as obvious in view
factor algorithm is used to	47; col. 11, ll. 34-47; col. 13, ln.	of D1 and/or D2 in combination
determine whether a match has	41 – col. 14, in. 59; col. 15, il.	with D3 and/or D4.
been found.	27-60.	
		This claim is invalld under 35
		U.S.C. §103 as obvious in view
:		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, aboye.
5. The method of claim 1	D1, col. 3, ln. 62 – col. 4 ln. 17;	This claim is invalid under 35
wherein the master call record	col. 7, Il. 27-62; col. 13 Il. 19-25;	U.S.C. §103 as obvious in view
comprises a serial number that	col. 15, Il. 27-60.	of D1 and/or D2 in combination
Identifies the telephone call.	301, 151 M 21 501	with D3 and/or D4,
<u> </u>		This claim is invalid under 35
		U.S.C. §103 as obvious in view
•		of D3 in combination with D4.
	1	The motivation for these
		combination can be found in
		Claim 1, above.
6. The method of claim I	D1, col. 3, ln. 62 – col. 4 ln. 17;	This claim is invalid under 35
wherein the call record is	col. 7, 11. 27-62; col. 13 11. 19-25;	U.S.C. §102(b) as anticipated by D3.
updated with data fields	col. 15, ll. 27-60.	υs.
describing each participant of the telephone call.	D2, col. 5, 11, 6-32; col. 22, 11,	This claim is invalid under 35
me terebitone cut:	18-21; col. 22, ll. 52-56; col. 25,	U.S.C. § 102(e) as anticipated by
	11. 18-29.	D4.
	D3, col. 1, ln. 52 - col. 2, ln. 15;	This claim is invalid under 35
	col. 5, 1l. 4-14; col. 5, ln. 57	U.S.C. §103 as obvious in view
· .	col. 6, ln. 6.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D4, col. 5 il. 14-33.	
		This claim is invalid under 35
Į.	}	U.S.C. §103 as obvious in view
1	Į.	of D3 in combination with D4.
	{	The motivation for these
		combination can be found in
	•	Claim 1, above.
<u>'</u>	<u> </u>	

· . . . ]

'370 Claim	Prior Art Reference(s)	Invalidity Bases
7. The method of claim 5 wherein the call record is updated with data fields describing each participant of	D1, col. 3, ln. 62 - col. 4 ln. 17; col. 7, il. 27-62; col. 13 ll. 19-25; col. 15; ll. 27-60.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
the telephone call.	D3, col. I, ln. 52 – col. 2, ln. 15; col. 5, ll. 4-14; col. 5, ln. 57 – col. 6, ln. 6.	This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.
	D4, col. 5 ll. 14-33.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
8. The method of claim 1 further comprising the step of assembling and playing back segments of telephone calls	D3, col. 5, ln. 30 – col. 11, ln. 22.  D4, col. 5 ll. 14-33.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
using the recorder locations described in the master call record for each telephone call.		This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.
	-	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.

*370 Claim	Prior Art Reference(s)	Invalidity Bases
9. The method of claim 1 further	D2, Figs. 13-18;	This claim is invalid under 35
comprising the step of using the	192, 11ga, 10-10.	
master call record to display a	D2 E- 04 00 10 11 15 12	U.S.C. §102(b) as anticipated by
master can record to display a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
graphical representation of said	14; col. 9., ln. 60 - col. 11, ln.	1
telephone call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
	1	This claim is invalid under 35
	<i>'</i>	U.S.C. \$103 as obvious in view
		of D3 in combination with D4.
		or 25 m conformation with 154.
•		The motivation for these
		combination can be found in .
10. The method of claim 3	D2 Fi 12 10	Claim 1, above.
1	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using the master call record to	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
display a graphical	14; col. 9., ln. 60 – col. 11, ln.	
representation of said telephone	22.	This claim is invalid under 35
call.		U.S.C. § 103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		•
		This claim is invalid under 35
		U.S.C. § 103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim I, above.
11. The method of claim 9	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment	14; col. 9., ln. 60 – col. 11, ln.	
of the telephone call.	22.	This claim is invalid under 35
or are treatment areas		U.S.C. §103 as obvious in view
· ,		of D1 and/or D2 in combination
		with D3 and/or D4.
		WHILD S BIIC/OF D4.
		This claim is invalid under 35
<b>(</b>	1	
<b> </b>		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The medicables for the se
ļ		The motivation for these
		combination can be found in
		Claim 1, above.

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12. The method of claim 9 further comprising the step of displaying a tuble comprising data from the master call record.  D1, col. 15, li. 27-60.  D2, Figs. 20A, 20B, 21, 22.  D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9, lin. 60 – col. 11, lin. 22.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D3 and/or D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  (a) software for constructing a call record at least one telephone call:  (b) software for constructing a call record at least one telephone call:  (c) col. 11, li. 34-47; col. 13, in. 19—col. 14, lin. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-22; col. 22, ll. 18-22; col. 23, ll. 18-29;  D3, col. 5, ln. 60 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 - col. 11, ln. 34.	'370 Claim	Prior Art Reference(s)	7
further comprising the step of displaying a table comprising data from the master call record.  D2, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., ln. 60 – col. 11, ln. 22.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination of lifetimes of telephone cells comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  D1, col. 2, ll. 22-34; col. 3, ln. 62 – col. 4 ln. 17; col. 13, ln. 19 – col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 –	12. The method of claim 9	DI col 15 il 27.60	Invalidity Bases
displaying a table comprising data from the master call record.  D2, Figs. 20A, 20B, 21, 22.  D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9, \text{in. 60 - col. 11, in.}  D3. Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9, \text{in. 60 - col. 11, in.}  D3. Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9, \text{in. 60 - col. 11, in.}  D3. A computer program for constructing and maintaining data representations of lifetimes of telephone calls comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  D1, col. 2, 11, 22-34; col. 3, \text{in. 17}; col. 7, 11, 27-62; col. 11, 11, 34-47; col. 13, \text{in. 19}; col. 15, 11. 27-60.  D2, col. 5, 11, 6-32; col. 22, 11. 18-29.  D3. col. 5, in. 30 - col. 6, in. 6; col. 9, ii. 9-38; col. 9, in. 60 -	further comprising the step of	1 27,000 10, 11, 27-00.	This claim is invalid under 35
data from the master call record.  D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., \text{in. 60 - col. 11, \text{in. in.}}  122.  D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., \text{in. 60 - col. 11, \text{in. in.}}  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(a) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to come of ordinary skill in the art to combination is provided in Claim 1, above.	displaying a table comprising	D2 Figs 204 208 21 22	U.S.C. \$102(b) as anticipated by
D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., in. 60 - col. 11, in. 22.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 and/or D2 in combination with D3 and/or D4. The motivation for these combination calls comprising and maintaining data representations of lifetimes of telephone cells comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(c) as anticipated by D4.  This claim is invalid under 35 U.S.C. \$102(c) as anticipated by D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4. The motivation for these combination call;  (a) software for constructing a call record at least one telephone call;  (b) 1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 14, ln. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 19-28; col. 22, ll. 19-28; col. 9, ln. 60 - 10 down of D3 in combination is provided in Claim 1, above.	data from the master call record	22, 1180, 2011, 2011, 21, 22.	103.
I4; col. 9., in. 60 - col. 11, in.  22.  U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  The motivation for these combination with D3 and/or D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination can be found in Claim 1, above.  I would have been obvious to come of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The incivation for this combination is provided in Claim 1, above.		D3 Fire 94 OR 10 11 12 12	This plate is thought to a
of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination can be found in Claim 1, above.  13. A computer program for constructing and maintaining data representations of lifetimes of telephone calls comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  15. This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  16. This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  17. This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  18. C. = 101 and/or D2 in combination under 35 U.S.C. §102(b) as anticipated by D3.  18. C. = 102(e) as anticipated by D4.  18. C. = 101 and/or D2 in combination under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  18. C. =		14 col 0 lp 60 col 11 lp	This claim is invalid under 35
with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(c) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(c) as anticipated by D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  (a) software for constructing a call record at least one telephone call;  (b) 1, col. 2, ll. 22-34; col. 3, ln.  (c) 2- col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln.  19 - col. 14, ln. 59; col. 15, ll.  27-60; ll. 11, ll. 34-47; col. 13, ln.  19 - col. 14, ln. 59; col. 15, ll.  27-60; ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	į	22	U.S.C. 9103 as obvious in view
This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim I, above.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(c) as anticipated by D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to one of ordinary skill in the art or	Ì	,	Of D1 and/of D2 in combination
U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.  D2, col. 14, in. 59; col. 15, il. 27-60.  D3, col. 5, il. 6-32; col. 22, il. 18-29.  D3, col. 5, in. 30 – col. 6, in. 6; col. 9, il. 9-58; col. 9, in. 60 –			wict 133 and/or 134,
U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.  D2, col. 14, in. 59; col. 15, il. 27-60.  D3, col. 5, il. 6-32; col. 22, il. 18-29.  D3, col. 5, in. 30 – col. 6, in. 6; col. 9, il. 9-58; col. 9, in. 60 –			This state is found to the or
of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination are be found in Claim 1, above.  [a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-22; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9, ll. 9-58; col. 9, ln. 60 -	1		This claim is invalid under 35
The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, II. 22-34; col. 3, In. 62 - col. 4 In. 17; col. 7, II. 27-62; col. 11, II. 34-47; col. 13, In. 19 - col. 14, In. 59; col. 15, II. 19 - col. 14, In. 59; col. 15, II. 19 - col. 14, In. 59; col. 22, II. 18-21; col. 22, II. 18-22; col. 22, II. 18-29.  D3, col. 5, In. 6-32; col. 22, II. 52-56; col. 25, II. 18-29.  D3, col. 5, In. 30 - col. 6, In. 6; col. 9, II. 9-58; col. 9, In. 60 -		į.	U.S.C. 9103 as obvious in view
combination can be found in Claim 1, above.  13. A computer program for constructing and maintaining data representations of lifetimes of telephone calls comprising one or more asyments, audio data for each segment being recorded on one or more recoxders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4.  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4.  D2, col. 1, 1, 1, 34-47; col. 15, 11.  27-60.  D2, col. 5, 11, 6-32; col. 22, 11.  18-21; col. 22, 11. 52-56; col. 25, 11. 18-29.  D3, col. 5, 1n. 30 – col. 6, 1n. 6; col. 9, 11. 9-58; col. 9, 1n. 60 –			of D3 in combination with D4.
combination can be found in Claim 1, above.  13. A computer program for constructing and maintaining data representations of lifetimes of telephone calls comprising one or more asyments, audio data for each segment being recorded on one or more recoxders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4.  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4.  D2, col. 1, 1, 1, 34-47; col. 15, 11.  27-60.  D2, col. 5, 11, 6-32; col. 22, 11.  18-21; col. 22, 11. 52-56; col. 25, 11. 18-29.  D3, col. 5, 1n. 30 – col. 6, 1n. 6; col. 9, 11. 9-58; col. 9, 1n. 60 –			770
Claim 1, above.  Claim 1, above.  Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D.3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D.3.  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D.4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  The motivation for these combination can be found in Claim 1, above.  [a) software for constructing a call record at least one telephone call;  D1, col. 2, II. 22-34; col. 3, in. 19 - col. 14, in. 59; col. 15, il. 27-60.  D2, col. 5, il. 6-32; col. 22, il. 18-21; col. 22, il. 52-56; col. 25, il. 18-29.  D3, col. 5, in. 30 - col. 6, in. 6; col. 9, il. 9-58; col. 9, in. 60 -			The motivation for these
13. A computer program for constructing and maintaining data representations of lifetimes of telephone calls comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination with D4.  The motivation for these combination is provided in Claim 1, above.  D2, col. 11, II, 34-47; col. 13, in.  19 - col. 14, in. 59; col. 15, II.  27-60.  D2, col. 5, II. 6-32; col. 22, II.  18-21; col. 22, II. 52-56; col. 25, II. 18-29.  D3, col. 5, in. 30 - col. 6, in. 6; col. 9, II. 9-58; col. 9, II. 9-58; col. 9, II. 9-58; col. 9, II. 60 -		[	combination can be found in
constructing and maintaining data representations of lifetimes of telephone calls comprising one or more segments, audio data for each segment being recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  [2 - col. 4 ln. 17; col. 7, ll. 27-62; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-29;  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	13 A company and a few few		Claim 1, above.
data representations of lifetimes of telephone calls comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D3 in combination with D3 and/or D4.  The motivation for these combination can be found in Claim 1, above.  [2] (a) software for constructing a call record at least one telephone call;  [3] (a) software for constructing a call record at least one telephone call;  [4] (5) (6) (7) (11, 27-62; col. 11, 11, 34-47; col. 13, in. 19 – col. 14, in. 59; col. 15, il. 27-62; col. 15, il. 27-62; col. 11, il. 34-47; col. 13, in. 19 – col. 14, in. 59; col. 15, il. 27-60.  [5] (6) (7) (8) (8) (8) (8) (8) (8) (8) (8) (8) (8	constructing and maintaining		This claim is invalid under 35
of telephone calls comprising one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.  D2, col. 14, ln. 59; col. 15, ll. 27-60; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	deta described institutions	•	U.S.C. §102(b) as anticipated by
one or more segments, audio data for each segment being recorded on one or more recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  The motivation for these combination can be found in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combination is provided in Claim 1, above.  D2, col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ln. 60 –	of talentes entations of lifetimes		D3.
data for each segment being recorded on one or more recorders, the computer program comprising:    U.S.C. § 102(e) as anticipated by D4.	of telephone calls comprising		
recorded on one or more recorders, the computer program comprising:  D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 19 - col. 50, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	deta for analysis and lost		This claim is invalid under 35
recorders, the computer program comprising:  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, in. 19 - col. 14, ln. 59; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ln. 60 -	data for each segment being		U.S.C. § 102(e) as anticipated by
comprising:  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  [A] software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, in. 19 - col. 14, ln. 59; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ln. 60 -	recorded on one or more		D4.
U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  [A software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ln. 60 -	recorders, the computer program		
of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, in. 19 - col. 14, ln. 59; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-21; col. 22, ll. 18-25; col. 21, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ln. 60 -	comprising:		This claim is invalid under 35
with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  [a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			U.S.C. §103 as obvious in view
with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  [a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			of D1 and/or D2 in combination
U.S.C. § 103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			with D3 and/or D4.
U.S.C. § 103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			
of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			This claim is invalld under 35
of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			U.S.C. §103 as obvious in view
(a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, in. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	•	•	of D3 in combination with D4.
(a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, in. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, in. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-22; ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			
(a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, in. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, in. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-22; ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			The motivation for these
(a) software for constructing a call record at least one telephone call;  D1, col. 2, ll. 22-34; col. 3, in. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, in. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-22; ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -		•	combination can be found in
call record at least one telephone call;  62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			Claim 1, above.
call record at least one telephone call;    62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.    D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.    D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	(a) software for constructing a		It would have been obvious to
62; col. 11, ll. 34-47; col. 13, ln. 19 – col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 –	call record at least one telephone		one of ordinary skill in the art to
19 — col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 — col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60—	call;		combine D1 and/or D2 with D3
27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -	. '	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 -			this combination is provided in
D2, col. 5, ll. 6-32; col. 22, ll, 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 –		!	Claim 1, above.
18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 –		D2, col. 5, 1l. 6-32; col. 22, 1l.	,
D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 –		18-21; col. 22, ll. 52-56; col. 25,	
col. 9, 11. 9-58; col. 9, In. 60 –	, , ,		
col. 9, 11. 9-58; col. 9, ln. 60 –			
col. 9, 11. 9-58; col. 9, In. 60 –	İ	D3, col. 5, ln. 30 - col. 6, ln. 6:	. !
		col. 9, 11. 9-58; col. 9, ln. 60 -	. 1
· ·			
	}	-	1
D4, col. 5 H. 14-33.		D4, col. 5 H. 14-33.	

'370 Claim	Prior Art Reference(s)	Invalidity Bases
(b) software for receiving data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
regarding telephony events	62 - col. 4 ln. 17; col. 7, il. 27-	one of ordinary skill in the art to
associated with one or more	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
telephone calls;	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
'	27-60.	this combination is provided in
	•	Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	•
	18-21; col. 22, ll. 52-56; col. 25,	
	11, 18-29,	
	,	
	D3, col. 4, 11. 35-52.	
	D4, col. 4 ln. 66 col. 5 ln. 13.	
	71 10 9 60 64 1 6 1	
(c) software for matching a	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
received telephony event with a constructed call record;	62 - col. 4 ln. 17; col. 7, Il. 27- 62; col. 11, Il. 34-47; col. 13, ln.	one of ordinary skill in the art to combine D1 and/or D2 with D3
constructed can record;	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
	27-00.	Claim I, above.
	D2, col. 5, 11. 6-32; col. 22, 11.	Cimii i, above.
	18-21; col. 22, ll. 52-56; col. 25,	
	11. 18-29.	
	D3, cot. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 ll. 14-33.	
(d) software for updating the	D1, col. 2, 11. 22-34; col. 3, ln.	It would have been obvious to
matching call record based on	62 - col. 4 ln. 17; col. 7, ll. 27-	one of ordinary skill in the art to
the received telephony event	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
data; and	19 - col. 14, ln. 59; col. 15, ll. 27-60.	and/or D4. The motivation for
•	27-00.	this combination is provided in Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	Ciaim 1, above.
	18-21; col. 22, 11. 52-56; col. 25,	
	11. 18-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11, 9-58.	
1		1
	D4, col. 5 Il. 14-33.	
(e) software for combining the	D3, col. 4, 11. 35-52; col. 5, ln.	It would have been obvious to
updated call record with data	30 - col. 6, ln. 6; col. 9, ll. 9-58;	one of ordinary skill in the art to
indicating the location of	col. 9, ln. 60 - col. 11, ln. 34.	combine D1 and/or D2 with D3
recorded audio data for the	D41 E1 14 22	and/or D4. The motivation for
segment of the call, to obtain a	D4, col. 5 ll. 14-33.	this combination is provided in
master call record representing		Claim 1, above.
the lifetime of the telephone call:	1	

'370 Claim	Prior Art Reference(s)	Invalidity Bases
14. The program of claim 13	D4, col. 3 ln. 65 - col. 4 ln. 15.	This claim is invalid under 35
wherein software for updating	= 17 + 11 = 11 = 00 = 001 + 11 = 101	U.S.C. §102(e) as anticipated by
the matching call record		D4.
comprises one or more handler	'	D4.
routines corresponding to the		This claim is invalid under 35
telephony event.		This claim is invalin under 35
		U.S.C. §103 as obvious in view
	•	of D1 and/or D2 in combination with D3 and/or D4,
	· .	WILL DO BROZOF D4,
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
•		of D3 in combination with D4,
	•	of D3 in comornation with 134,
	İ ·	The motivation for these
	i	combination can be found in
		Claim I, above.
15. The program of claim 13	D1, col. 2, ll. 35-45; col. 4, ln.	This claim is invalid under 35
further comprising software for	18 - col. 5, In. 50.	U.S.C. §103 as obvious in view
translating the data regarding		of D1 and/or D2 in combination
telephony events into a platform	<u> </u>	with D3 and/or D4.
specific format		with D3 Mittor D4.
-		This claim is invalid under 35
		U.S.C. §103 as obvious in view
•		of D3 in combination with D4,
	Í	TT PT III SOMETIME ON WILL DA
		The motivation for these
	·	combination can be found in
		Claim 1, above.
16. The program of claim 13	D1, col. 2, ii. 22-34; col. 3, in.	This claim is invalid under 35
wherein the software for	62 - col. 4 lm. 17; col. 7, 11. 38-	U.S.C. §103 as obvious in view
matching a received telephony	47; col. 11, 11, 34-47; col. 13, ln.	of D1 and/or D2 in combination
event with a call record uses a	41 - col. 14, ln. 59; col. 15, ll.	with D3 and/or D4.
confidence factor algorithm.	27-60.	
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4,
		The second second
		The motivation for these
		combination can be found in
17. The program of claim 13	Til1 2 1	Claim 1, above.
wherein the master call record	D1, col. 3, in. 62 – col. 4 in. 17;	This claim is invalid under 35
comprises a serial number that	col. 7, 11, 27-62; col. 13 11, 19-25;	U.S.C. §103 as obvious in view
identifies the telephone call.	col. 15, 11, 27-60.	of D1 and/or D2 in combination
vocamines me telefinous carr.		with D3 and/or D4.
•	•	This state is in the state of t
•		This claim is invalid under 35
,		U.S.C. §103 as obvious in view
İ		of D3 in combination with D4.
		The motivation for these
· .		combination can be found in
		Claim 1 above
		Claim 1, above.

'370 Claim	Prior Art Reference(s)	Invalidity Bases
18. The program of claim 13	D1, col. 3, ln. 62 - col. 4 ln. 17;	This claim is invalid under 35
wherein the call record is	col. 7, Il. 27-62; col. 13 ll. 19-25;	U.S.C. §102(b) as anticipated by
updated with data fields	col. 15, 11, 27-60.	D3.
describing each participant of		<sup>23</sup> .
the telephone call.	D2, col. 5, il. 6-32; col. 22, il.	This olding is forward and a no
	18-21; col. 22, Il. 52-56; col. 25,	This claim is invalid under 35
	II. 18-29.	U.S.C. § 102(e) as anticipated by D4.
	11. 10-29.	D4.
	D3, col. 1, ln. 52 - col. 2, ln. 15;	This slate is to see that
,	col. 5, 11. 4-14; col. 5, ln. 57 -	This claim is invalid under 35
	col. 6, ln. 6.	U.S.C. §103 as obvious in view
	, soil 0, in, 0.	of D1 and/or D2 in combination with D3 and/or D4.
ı	D4, col. 5 ll. 14-33.	with D3 and/or D4,
	24, 661, 3 11, 14-33,	This claim is invalid under 35
	1	U.S.C. §103 as obvious in view
· ·		of D3 in combination with D4.
		or D3 in combination with 114.
		The motivation for these
	_	combination can be found in
	į	Claim 1, above.
19. The program of claim 13	D3, col. 5, ln. 30 - col. 11, ln.	This claim is invalid under 35
further comprising software for	22.	U.S.C. §102(b) as anticipated by
assembling and playing back		D3.
segments of telephone calls	D4, col. 5 ll. 14-33.	
using the recorder locations	·	This claim is invalid under 35
described in the master call		U.S.C. § 102(e) as anticipated by
record for each telephone call.		D4.
•		- "
!		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4,
{		, . <del>.</del>
_ /	·	This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4,
		The motivation for these
		combination can be found in
AG IDI.		Claim 1, above.
20. The program of claim 13	D2, Figs. 13-18.	This claim is invalid under 35
further comprising software that	D4 77	U.S.C. §102(b) as anticipated by
uses the master call record to	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
display a graphical	14; col. 9., ln. 60 – col. 11, ln.	
representation of said telephone call.	22.	Combine D1 or D2 with D3 or
Cair.		D4.

'370 Claim	Prior Art Reference(s)	Invalidity Bases
21. The program of claim 19	D2, Figs. 13-18.	This claim is invalid under 35
further comprising software that	-	U.S.C. §102(b) as anticipated by
uses the master call record to	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
display a graphical	14; col. 9., ln. 60 – col. 11, ln.	
representation of said telephone	22.	This claim is invalid under 35
call.		U.S.C. §103 as obvious in view
·		of D1 and/or D2 in combination
		with D3 and/or D4,
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
22. The program of claim 20	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3,
representation of each segment	14; col. 9., ln. 60 – col. 11, ln.	
of the telephone call.	22.	This claim is invalid under 35
1		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
	1	with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
į		of D3 in combination with D4.
		The motivation for these
,	4	combination can be found in
		Claim 1, above.
23. The program of claim 19	D1, col. 15, ll. 27-60.	This claim is invalid under 35
further comprising software for	•	U.S.C. §102(b) as anticipated by
displaying a table comprising data from the master call record.	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the master can record.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
<b>\</b> '	14; col. 9., ln. 60 - col. 11, ln.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination
		with D3 and/or D4,
· ·		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 In combination with D4.
,		The motivation for these
	1	combination can be found in
		Claim 1, above.

'370 Claim	Prior Art Reference(s)	Invalidity Bases
24. An article of manufacture		This claim is invalid under 35
storing a computer program for		U.S.C. §102(b) as anticipated by
constructing and maintaining	•	D3.
data representations of lifetimes		
of telephone calls comprising		This claim is invalid under 35
one or more segments, audio		U.S.C. § 102(e) as anticipated by
data for each segment being		D4.
recorded on one or more		
recorders, the computer program		This claim is invalid under 35
comprising:	1	U.S.C. §103 as obvious in view
•		of D1 and/or D2 in combination
		with D3 and/or D4.
1		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
}		The motivation for these
1		combination can be found in
(-)	51 -1 0 H 00 24 1 2 1	Claim 1, above.
(a) software for constructing a call record for at least one	D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-	It would have been obvious to
telephone call;	62; col. 11, 11, 34-47; col. 13, ln.	one of ordinary skill in the art to
terepriorie carr,	19 – col. 14, ln. 59; col. 15, ll.	combine D1 and/or D2 with D3 and/or D4. The motivation for
	27-60.	
	27-00.	this combination is provided in Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	CAMIN 1, 400 VC.
	18-21; col. 22, Il. 52-56; col. 25,	•
	11. 18-29.	
1	D3, col. 5, in. 30 - col. 6, in. 6;	
1	col. 9, 11. 9-58; col. 9, in. 60 -	
	col. 11, ln. 34.	
]		
,	D4, col. 5 Il. 14-33.	
(b) software for receiving data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
regarding telephony events	62 - col. 4 In. 17; col. 7, 11. 27-	one of ordinary skill in the art to
associated with one or more	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
telephone calls;	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
1	27-60.	this combination is provided in
1	D01 5 11 6 301 00 11	Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
,	18-21; col. 22, ll. 52-56; col. 25,	
	11. 18-29.	
·	D3, col. 4, 11, 35-52.	
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
·	12-14 COT: 4 TH: 00 - COT: 3 TH: 13:	. 1
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		

'370 Claim	Prior Art Reference(s)	Town 10 dra 75
(c) software for matching a	D1, col. 2, IL 22-34; col. 3, ln.	Invalidity Bases
received telephony event with a	62 - col. 4 ln. 17; col. 7, II. 27-	It would have been obvious to
constructed call record;	62; col. 11, ll. 34-47; col. 13, ln.	one of ordinary skill in the art to
	19 - col. 14, In. 59; col. 15, 11.	combine D1 and/or D2 with D3
	27-60.	and/or D4. The motivation for
	1 33	this combination is provided in Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	Claim 1, 200ve.
	18-21; col. 22, Il. 52-56; col. 25,	1
	il. 18-29.	
·		
1	D3, col. 5, in. 30 - col. 6, in. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 ll. 14-33.	
(d) software for updating the	D1, col. 2, ll. 22-34; col. 3, In.	It would have been obvious to
matching call record based on the received telephony event	62 - col. 4 ln. 17; col. 7, ll. 27-	one of ordinary skill in the art to
data; and	62; col. 11, Il. 34-47; col. 13, In.	combine D1 and/or D2 with D3
Cala, and	19 - col. 14, ln. 59; col. 15, Il.	and/or D4. The motivation for
	27-60.	this combination is provided in
	T00 5 11 6 00 7 00 71	Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
1	18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	]
	11. 10-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	
	col. 9, 11. 9-58.	
ı		
	D4, col. 5 11, 14-33.	
(a) software for combining the	D3, col. 4, li. 35-52; col. 5, ln.	It would have been obvious to
updated call record with data	30 - col. 6, ln. 6; col. 9, 11, 9-58;	one of ordinary skill in the art to
indicating the location of	col. 9, ln. 60 - col. 11, ln. 34,	combine D1 and/or D2 with D3
recorded audio data for the		and/or D4. The motivation for
segment of the call, to obtain a	D4, col. 5 ll. 14-33.	this combination is provided in
master call record representing the lifetime of the telephone call.		Claim I, above.
25. The article of claim 24	734 1 61 66	·
wherein software for updating	D4, col. 3 ln. 65 - col. 4 ln. 15.	This claim is invalid under 35
the matching call record		U.S.C. §102(e) as anticipated by
comprises one of more handler		D4.
routines corresponding to the		mit and a second
telephony event.		This claim is invalid under 35
• • • • • • • • • • • • • • • • • • •		U.S.C. §103 as obvious in view
ļ		of D1 and/or D2 in combination with D3 and/or D4.
Ì	1	THE DE MINOR DA.
		This claim is invalid under 35
	4	U.S.C. §103 as obvious in view
	1	of D3 in combination with D4.
·		ייים וועוו וועווועוו אווווו וועווועווועווועו
	1	The motivation for these
	i	combination can be found in
		Claim 1, above.

'370 Claim	Prior Art Reference(s)	Invalidity Bases
26. The article of claim 24	D1, col. 2, 11. 35-45; col. 4, ln.	This claim is invalid under 35
wherein the computer program	18 - col. 5, ln. 50.	U.S.C. §103 as obvious in view
further comprises software for		of D1 and/or D2 in combination
translating the data regarding	1	with D3 and/or D4.
telephony events into a platform		
specific format.		This claim is invalid under 35
		U.S.C. \$103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
1		combination can be found in
1	_	Claim 1, above.
27. A method for constructing	_	This claim is invalid under 35
and maintaining data		U.S.C. §102(b) as anticipated by
representations of lifetimes of		D3.
telephone calls comprising two	•	1
or more segments, audio data for		This claim is invalid under 35
each segment being recorded on		U.S.C. § 103 as obvious in view
one or more recorders, the	-	of D1 and/or D2 in combination
method comprising the steps of:		with D3 and/or D4.
	Ì	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	i	of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
(a) constructing a call record for	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
a telephone call comprising two	62 - col. 4 ln. 17; col. 7, il. 27-	one of ordinary skill in the art to
or more segments;	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
	To 1 5 11 6 22 1 22 11	Claim 1, above.
	D2, coi. 5, ll. 6-32; col. 22, ll.	To assemble have been about the second
	18-21; col. 22, ll. 52-56; col. 25,	It would have been obvious to
	II. 18-29.	one of ordinary skill in the art to combine D3 and D4. The
	D3, col. 5, ln. 30 - col. 6, ln. 6;	motivation for this combination
	col. 9, 11. 9-58; col. 9, ln. 60 -	is provided in Claim 1, above.
	col. 11, ln. 34.	
	1	
1		

°370 Claim	Prior Art Reference(s)	Invalidity Bases
(b) receiving data regarding one	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
or more telephony events	62 - col. 4 ln. 17; col. 7, 11. 27-	one of ordinary skill in the art to
associated with the telephone	62; col. 11, ll. 34-47; col. 13, ln.	combine DI and/or D2 with D3
call;	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D2, col. 5, 11, 6-32; col. 22, 11.	
	18-21; col. 22, ll. 52-56; col. 25,	·
	IL 18-29.	
	D0 14 11 05 50	
	D3, col. 4, ll. 35-52.	
,	D4, col. 4 ln. 66 - col. 5 ln. 13.	
	1 D4, C01, 4 III, 00 - C01, 3 III, 13.	
(c) matching said one or more	Di, col. 2, il. 22-34; col. 3, in.	It would have been obvious to
received telephony events with	62 - col. 4 ln. 17; col. 7, 11. 27-	one of ordinary skill in the art to
said call record;	62; col. 11, ll. 34-47; col. 13, in.	combine D1 and/or D2 with D3
•	19 - col. 14, In. 59; col. 15, II.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D2, col. 5, 11. 6-32; col. 22, 11.	
	18-21; col. 22, ll. 52-56; col. 25,	
	11, 18-29.	
	D3, col. 5, ln. 30 - col. 6, ln. 6;	1
	col. 9, 11. 9-58.	<b>1</b>
	401. 34 11. 3 20.	
	D4, col. 5 Il. 14-33.	
(d) updating said call record	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
based on said received telephony	62 - col. 4 ln. 17; col. 7, ll. 27-	one of ordinary skill in the art to
event data; and	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
·	19 - col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	CIMIN 1, 400 to.
	18-21; col. 22, ll. 52-56; col. 25,	
	11. 18-29.	}
		1
·	D3, col. 5, ln. 30 – col. 6, ln. 6;	,
	col. 9, 11, 9-58.	·
, i		
	D4, col. 5 ll. 14-33.	It would have been obvious to
(e) combining said updated call	D3, col. 4, ll. 35-52; col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58;	one of ordinary skill in the art to
record with data indicating one	col. 9, In. 60 – col. 11, In. 34.	combine D1 and/or D2 with D3
or more locations of recorded	LOJ. 3, III. 00 - 001/11, 10, 04.	and/or D4. The motivation for
segments of the call, to obtain a	1	this combination is provided in
master call record representing		Claim 1, above.
the lifetime of said telephone		· · ·
call.		It would have been obvious to
		one of ordinary skill in the art to
1		combine D3 and D4. The
·		motivation for this combination
		is provided in Claim 1, above.

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'370 Claim	Prior Art Reference(s)	Invalidity Bases
28. A method for constructing and maintaining data representations of lifetimes of	·	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
telephone calls comprising two or more segments, the method comprising:		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
(a) constructing a call record for a telephone call comprising two or more segments, wherein at least one participant in said call participates in two or more of said segments;	D1, col. 2, il. 22-34; col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 – col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, in. 30 – col. 6, ln. 6; cot. 9, ll. 9-58; col. 9, ln. 60 –	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combine D3 and D4. The motivation for this combination is provided in Claim 1, above.
(b) receiving data regarding one or more telephony events associated with the telephone call;	col. 11, ln. 34.   D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.   D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.   D3, col. 4, ll. 35-52.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
	D4, col. 4 ln. 66 – col. 5 ln. 13.	

'370 Claim	Prior Art Reference(s)	Invalidity Bases
(c) matching said one or more received telephony events with said call record;	D1, col. 2, ll. 22-34; col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 – col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
(d) updating said call record based on said received telephony event data; and	D4, col. 5 ll. 14-33.  D1, col. 2, ll. 22-34; col. 3, ln. 62 - col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 - col. 14, ln. 59; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 - col. 6, ln. 6; col. 9, ll. 9-58.  D4, col. 5 ll. 14-33.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
(e) combining said updated call record with data indicating one or more locations of recorded audio data for two or more segments of the call, to obtain a master call record representing the lifetime of said telephone call.	D3, col. 4, II. 35-52; col. 5, In. 30 - col. 6, In. 6; col. 9, II. 9-58; col. 9, In. 60 - col. 11, In. 34.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.  It would have been obvious to one of ordinary skill in the art to combine D3 and D4. The motivation for this combination is provided in Claim 1, above.

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Document2 18

receiving a request for retrieval of stored data from a client;  of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.		'920 Claim	Prior Art Reference(s)	Invalidity Bases
98/13995 to Smythe, published April 2, 1998, filed September 25, 1997, (WSNSDE0008433-77)  D3: U.S. Patent No. 5,668,863 to Bieslin, filed April 26, 1996, claiming priority to U.S. Application Serial No. 08/509,390, filed June 31, 1995, (WSNSDE0005185-5222)  1. A method for accessing information in at Jeast one digital logger storing data associated with input from a plurality of imput channels, comprising:  D1: Page 2, Para. 30; Page 2, para. 17. 17this claim is invalid under 35 U.S.C. 3102(e) as anticipated by D1. 17this claim is invalid under 35 U.S.C. \$102(e) as anticipated by D2. 17this claim is invalid under 35 U.S.C. \$102(e) as anticipated by D2. 17this claim is invalid under 35 U.S.C. \$103(e) as obvious in view of D3 in combination with D1 and/or D3. It is claim is invalid under 35 U.S.C. \$103(e) as obvious in view of D3 in combination with D1 and/or D3. It is claim is invalid under 35 U.S.C. \$103(e) as obvious in view of D3 in combination with D1 and/or D3. It is claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D3. It is claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D3. It is claim is invalid under 35 U.S.C. \$103(a) as a solvious in view of D3 in combination with D1 and/or D2 to reake recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web series and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make receiving a request for retrieval of stored data from a client; properties of the volume of the volume of D3 in combination with D1 and/or D2 to make receiving a request for retrieval of stored data from a client; properties of the volume of D3 in the properties of D3 and D4 D2 in the properties of D4 and D4 D4 D4 D4 D4 D4 D4 D4 D4 D4 D4 D4 D4			2001/0043697 to Cox, published November 22, 2001, filed on May 11,	
Bieslin, filed April 26, 1996, claiming priority to U.S. Application Serial No. 08/509,390, filed June 31, 1995, (WSNSDE0005185-5222)  1. A method for accessing information in at least one digital logger storing data associated with input from a plurality of input channels, comprising:  D1: Page 2, Para. 30; Page 2, para. 17. This claim is invalid under 35 U.S.C. \$102(e) as anticipated by D1.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 3, lines 31-34.  D1: Page 2, para. 17. Col. 3, lines 4-7; Col. 3, lines 31-34.  D1: Page 2, para. 17. This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D2.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 10; Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 20; Col. 2, lines 4-7; Col. 3, lines 31-34.  D1: Page 2, para. 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 10; Col. 3, lines 50 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 50 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 50 - Col. 4, line 22; Col. 2, lines 50 - Col. 4, line 22; Col. 2, lines 50 - Col. 4, line 22; Col. 2, lines 50 - Col. 4, line 22; Col. 2, lines 50 - Col. 4, line 22; Col. 2, lines 50 - Col. 4, line 50 - Col			98/13995 to Smythe, published April 2, 1998, filed September 25,	· .
information in at least one digital logger storing data associated with input from a plurality of input channels, comprising:  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 3, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.  D1: Page 2, para, 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.  D1: Page 2, para, 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 10; Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, lines 10 combination with D1 and/or D2.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the verb server and digital logger inspociated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the verb server and digital logger inspociated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the verb server and digital logger inspociated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the verb server and digital logger inspociated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the verb server and digital logger inspociated with input from a plurality of input channels of D1 and/or D2.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D			Bieslin, filed April 26, 1996, claiming priority to U.S. Application Serial No. 08/509,390, filed June 31,	
associated with input from a plurality of input channels, comprising:  D3: Col. 3, line 56 – Col. 4, line 10; Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.  D1: Page 2, para. 17. D2: Page 5, lines 11-12. D3: Col. 10, lines 8-14; Col. 3, line 56 – Col. 4, line 10; combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server are geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger is associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger is associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger is associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger is secreted with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.		Information in at least one		
Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D2.  This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger.	1	associated with input from a	10-20.	
at a Web server having access to said at least one digital logger,  D1: Page 2, para. 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56  - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.  D3: Col. 10, lines 31-34.  D3: Col. 2, lines 4-7; Col. 3, lines 31-34.  D3: Col. 10, lines 8-14; Col. 3, line 56  - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.  This claim is invalid under 35 U.S.C. \$103(a) as obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger.		comprising:	Col. 10, lines 8-14; Col. 2, lines 4-7;	
to said at least one digital logger,  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.  D3: Col. 10, lines 31-34.  Sines				§103(a) as obvious in view of D3 in
D3; Col. 10, lines 8-14; Col. 3, line 56 - Coi. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.  ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  The claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.		to said at least one digital	-	§103(a) as obvious in view of D2 in combination with D1 and/or D3. It
§ 103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  Teceiving a request for retrieval of stored data from a client;			- Coi. 4, line 22; Col. 2, lines 4-7;	ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients
ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  receiving a request for retrieval D1: Page 10, claim 25.  of stored data from a client;				§103(a) as obvious in view of D3 in
make recordings available to more clients across a greater geographical area.  receiving a request for retrieval D1: Page 10, claim 25. of stored data from a client;				ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality
of stored data from a client;				make recordings available to more clients across a greater geographical
of stored data from a client;	٠		D1: Page 10, claim 25.	
			D2: Page 20, lines 28-29.	

'920 Claim	Prior Art Reference(s)	Invalidity Bases
	D3: Col. 11, lines 18-22.	
retrieving stored data in	D1: Page 1, para. 40, 42.	-
accordance with the received request;	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
and transferring the retrieved data to the client.	D1: Page 1, para, 42.	·
data to the chent.	D2: Page 21, lines 23-25.	
	D3; Col. 11, lines 18-22.	
2. The method of This claim wherein the step of retrieving	D1: Page 1, para. 13.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.
stored data comprises accessing a record of an input channel made by said at least one digital	D2: Page 21, lines 23-25; Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D2.
logger.	D3: Abstract; Col. 4, lines 37-54.	This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in
		combination with D1 and/or D3. It would have been obvious to one of
		ordinary skill in the art to incorporate D1 and/or D3 's digital logger
	,	associated with input from a plurality of input channels to make recordings
		available to more clients across a greater geographical area.
		This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in
•		combination with D1 and/or D2. It would have been obvious to one of
		ordinary skill in the art to incorporate the web server and digital logger
•		associated with input from a plurality of input channels of D1 and/or D2 to
		make recordings available to more
		clients across a greater geographical area.
3. The method of claim 2 wherein the step of retrieving	D1: Page 2, para. 35.	This claim is invalid under 35 U.S.C. \$102(e) as anticipated by D1.
stored data comprises accessing call information for a record of	D2: Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C.
an input channel made by said at least one digital logger.	D3: Col. 9, lines 13-17; Cot. 4, lines	§102(b) as anticipated by D2.
	47-54.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.

'920 Claim	Prior Art Reference(s)	Invalidity Bases
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
6. The method of This claim wherein the step of retrieving	D1: Page 8, para. 103; Page 8, para. 99.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
stored data comprises accessing archived data at the Web server corresponding to a record of an	D2: Page 21, lines 23-25.	This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.
input channel made by said at least one digital logger.	D3: Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D1 in combination with D2 and/or D3. It would have been obvious to a person of ordinary skill in the art including the archived data at the Web server of D2 and/or D3 to have a backup archive for important recordings.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger associated with input from a plurality of input changels to make recordings available to more clients across a greater geographical area.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate

'920 Claim	Prior Art Reference(s)	Invalidity Bases
		the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
7. A method for accessing information in a digital logging system storing data associated with input from a plurality of communication channels, comprising:	D1: Page 2, Para. 30; Page 2, para. 17.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 3, line 56 — Col. 4, line 10; Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2.
receiving an information request from a user at a network server having access to a plurality of data records created by the logging system, the records corresponding to data transmitted over a communication channel;	D1: abstract; Page 2, para. 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate multiple records corresponding to data transmitted over a communication channel to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate multiple records corresponding to data transmitted over a communication channel to make recordings available to more clients
providing to the user a description of services offered by the network server.	D1: Page 2, para. 35.  D2: Page 20, line 24; Figure 3.  D3: Col. 9, lines 2-5; Figure 9A, Col.	across a greater geographical area.
receiving at the network server an indication of a service	10, lines 15-16.  D1: Page 1, para. 16.	·

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'920 Claim	Prior Art Reference(s)	Invalidity Bases
selected by the user;	D2: Page 20, lines 24-31,	
	D3: Col. 9, line 66 - Col. 10, line 2.	
running at the network server of a software routine causing the server to elick from the user one or more of the following: user information, user ID, authorization level, password and payment information;  in response to the elicited user data providing access to one or more stored records created by the logging system.	D1: Page 1, para. 1.  D2: Page 11, lines 4-7.  D3: Col. 9, line 66 - Col. 10, line 14.  D1: Page 9, para. 112.  D2: Page 11, lines 4-7.  D3: Col. 9, line 66 - Col. 10, line 14.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate multiple records corresponding to data transmitted over a communication channel to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of
9. The method of claim 7. wherein the network server is a	D1: Page 2, para. 17.	ordinary skill in the art to incorporate multiple records corresponding to data transmitted over a communication channel to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D1.
Web server.	D2: Page 5, lines 11-12.  D3: Col. 3, lines 31-35.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	W.A.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/of D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server of D1 and/or D2 make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D2 in combination with D1 and/or D3. It

'920 Claim	Prior Art Reference(s)	Invalidity Bases
		would have been obvious to one of ordinary skill in the art to incorporate multiple records corresponding to data transmitted over a communication channel to make recordings available to more clients across a greater geographical area.
10. The method of claim 9, wherein the user and the Web server communicate through a web browser.	D1: Page 1, para. 15.  D2: Page 6, lines 8-10.  D3: Col. 9, line 66 - Col. 10, lines 2.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web browser of D1 and/or D2 make recordings available to more clients across a greater geographical area and to make recordings more easily accessible.
15. The method of claim 7, wherein at least some data records created by the logging system are archived at the network server.	D1: Page 8, para, 103; Page 8, para. 99.  D2: Page 21, lines 23-25.  D3: Figure 2. Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D1 in combination with D2 and/or D3. It would have been obvious to a person of ordinary skill in the art including the archived data at the Web server of D2 and/or D3 to have a backup archive for important recordings.  This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 is digital logger associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of

	Prior Art Reference(s)	Invalidity Bases
'920 Claim	Prior Art Reference(s)	ordinary skill in the art to incorporate
		the web server and digital logger
l i	•	associated with input from a plurality
]	i	of input channels of D1 and/or D2 to
· .		make recordings available to more
		clients across a greater geographical
	\textstyle \textstyle	area.
<b>\</b>		This claim is invalid under 35 U.S.C.
16. A method for accessing	D1: Page 2, Para. 30; Page 2, para. 17.	This claim is invalid block.55 0.5.0.
information stored by at least		§102(e) as anticipated by D1.
one digital logger storing data	D2: Page 5, lines 11-12; Page 7, lines	This claim is invalid under 35 U.S.C.
associated with input from a	10-20.	§102(b) as anticipated by D2.
plurality of communication	D3: Col. 3, line 56 - Col. 4, line 10;	\$202(D) TO THE STATE OF
channels, comprising:	Col. 10, lines 8-14; Col. 2, lines 4-7;	This claim is invalid under 35 U.S.C.
<b>\</b>	Col. 3, lines 31-34.	§102(b) as anticipated by D3.
<b>\</b>	Cui, J, mice Jr-J	
		This claim is invalid under 35 U.S.C.
1	•	§103(a) as obvious in view of D2 in
		combination with D1 and/or D3.
		This claim is invalid under 35 U.S.C.
ļ		\$103(a) as obvious in view of D3 in
		combination with D1 and/or D2.
i		Collicination with Dr min of an
	17 P. 17	This claim is invalid under 35 U.S.C.
at a Web server having access	D1: Page 2, para. 17.	8103(a) as obvious in view of D2 in
to said information stored by at	D2: Page 5, lines 11-12.	combination with DI and/or D3. It
least one digital logger over a communications network,	D2. 18g0 5/ 2000 11 14	would have been obvious to one of
COMMUNICATIONS HETWORK,	D3: Col. 10, lines 8-14; Col. 3, line 56	ordinary skill in the art to incorporate
ł	- Col. 4, line 22; Col. 2, lines 4-7;	the digital logger associated with
	Col. 3, lines 31-34.	input from a plurality of input channels of D1 and/or D2 to make
1	·	recordings available to more clients
·		across a greater geographical area.
·	•	SCIOSS & Stemot Goods aby man
İ		This claim is invalid under 35 U.S.C.
		5103(a) as obvious in view of D3 in
•		combination with D1 and/or D2. It
		would have been obvious to one of
	· ·	ordinary skill in the art to incorporate
	·	the web server and digital logger
		associated with input from a plurality
		of input channels of D1 and/or D2 to make recordings available to more
		make recordings available to more clients across a greater geographical
		grear greater geographican
		area.
The course of the same than	10 10 10 10 10 10 10 10 10 10 10 10 10 1	
receiving a request for retrieva	D1: Page 10; claim 25.	
of stored data from a user;	D2: Page 20, lines 28-29.	
	Tre' Lugo to' into so-ra-	
}	D3: Col. 11, lines 18-22.	

retrieving said stored data from said information in accordance with the received request;  D1: Page 1, para. 40, 42.  D2: Page 21, lines 18-22.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 23-25.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 23-25.	
with the received request;  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  D1: Page 1, para. 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 18-22.  D4: Page 1, para. 13.  D5: Page 21, lines 23-25.  D6: Page 21, lines 23-25.  D7: Page 1, para. 13.  D8: Page 21, lines 23-25.	
and transferring the retrieved data to the client.  D1: Page 1, para. 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 18-22.  D3: Col. 11, lines 18-22.  D4: Page 1, para. 13.  D5: Page 21, lines 23-25.  D6: Page 21, lines 23-25.  D7: Page 1, para. 13.  D8: Page 21, lines 23-25.	
and transferring the retrieved data to the client.  D1: Page 1, para. 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  D1: Page 1, para. 13.  This claim is invalid under 3 \$102(e) as anticipated by D1 stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  This claim is invalid under 3 \$102(e) as anticipated by D1 stored data comprises accessing a record of a communication channel made by said at least	•
and transferring the retrieved data to the client.  D1: Page 1, para. 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  D1: Page 1, para. 13.  This claim is invalid under 3 \$102(e) as anticipated by D1 stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  This claim is invalid under 3 \$102(e) as anticipated by D1 stored data comprises accessing a record of a communication channel made by said at least	•
data to the client.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  17. The method of This claim6 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  D2: Page 21, lines 23-25; Page 21, lines 23-25; Page 21, lines 23-25; Page 21, line 30 - Page 22, line 1.  This claim is invalid under 3 \$102(b) as anticipated by D2 \$102(b	
data to the client.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  17. The method of This claim6 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  D2: Page 21, lines 23-25; Page 21, lines 23-25; Page 21, lines 23-25; Page 21, line 30 - Page 22, line 1.  This claim is invalid under 3 \$102(b) as anticipated by D2 \$102(b	•
D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.  17. The method of This claim6 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  D2: Page 21, lines 23-25; Page 21, lines 23-25; Page 21, lines 23-25; Page 21, line 30 - Page 22, line 1.  This claim is invalid under 3 §102(b) as anticipated by D3 page 21, line 30 - Page 22, line 1.	
D3: Col. 11, lines 18-22.  17. The method of This claim6 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  D2: Page 21, lines 23-25;  Page 21, line 30 - Page 22, line 1.  This claim is invalid under 3 \$102(e) as anticipated by D2 \$102(b) as	
17. The method of This claim6 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  D2: Page 21, lines 23-25; Page 21, line 30 - Page 22, line 1.  This claim is invalid under 3  §102(e) as anticipated by D2  This claim is invalid under 3  §102(b) as anticipated by D2	
17. The method of This claim6 wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least  D1: Page 1, para. 13.  D2: Page 21, lines 23-25; Page 21, line 30 - Page 22, line 1.  This claim is invalid under 3  §102(e) as anticipated by D2  This claim is invalid under 3  §102(b) as anticipated by D2	
wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least    Si02(e) as anticipated by Dispersion of the communication channel made by said at least   Si02(e) as anticipated by Dispersion of the communication channel made by said at least   Si02(b) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by said at least   Si02(c) as anticipated by Dispersion of the communication channel made by Si02(c) as anticipated by Dispersion of the communication channel made by Si02(c) as anticipated by Dispersion of the communication channel made by Si02(c) as anticipated by Dispersion of the communication channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Dispersion channel made by Si02(c) as anticipated by Disper	
wherein the step of retrieving stored data comprises accessing a record of a communication channel made by said at least    Si02(e) as anticipated by Dispersion of the communication channel made by said at least    Si02(e) as anticipated by Dispersion of the communication channel made by said at least    Si02(e) as anticipated by Dispersion of the communication channel made by said at least	
stored data comprises accessing a record of a communication channel made by said at least  D2: Page 21, lines 23-25; Page 21, line 30 - Page 22, line 1.  \$\frac{102(b)}{2}\$ as anticipated by D2.	35 U.S.C.
a record of a communication Page 21, line 30 - Page 22, line 1. This claim is invalid under 3 \$102(b) as anticipated by D.	1.
channel made by said at least §102(b) as anticipated by Di	
1 0 = == 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	
one digital logger. D3: Abstract; Col. 4, lines 37-54.	4.
This claim is invalid under 3	35 U.S.C.
§102(b) as anticipated by D:	3.
This claim is invalid under 3	
§103(a) as obvious in view of combination with D1 and/or	
would have been obvious to	
ordinary skill in the art to in	
D1 and/or D3 's digital logg	er -
associated with input from a	
of input channels to make re	
available to more clients acregreater geographical area.	OSS E
Steurer Sco Stabilicat stear	
This claim is invalid under 3	35 U.S.C.
§103(a) as obvious in view of	
combination with D1 and/or	
would have been obvious to	
ordinary skill in the art to in the web server and digital lo	
associated with input from a	
of input channels of D1 and/	
make recordings available to	more
clients across a greater geogr	raphical
erca.	
18. The method of claim D1: Page 2, para. 35. This claim is invalid under 3	15118C
wherein the step of retrieving \$102(e) as anticipated by D)	
stored data comprises accessing D2: Page 21, lines 30 - Page 22, line	
call information for a record of 1. This claim is invalid under 3	
a communication channel made \$102(b) as anticipated by D2	2.
by said at least one digital D3: Col. 9, lines 13-17; Col. 4, lines This claim is invalid under 3	
logger. 47-54. This claim is invalid under 3 \$102(b) as anticipated by D3	
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'920 Claim	Prior Art Reference(s)	Invalidity Bases
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in
		combination with D1 and/or D3. It would have been obvious to one of
,		ordinary skill in the art to incorporate
		D1 and/or D3 's digital logger
		associated with input from a plurality of input channels to make recordings
		available to more clients across a
		greater geographical area.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
21. The method of This claim6	D1; Page 8, para. 103; Page 8, para.	This claim is invalid under 35 U.S.C.
wherein the step of retrieving	99.	§102(b) as anticipated by D2.
stored data comprises accessing archived data at the Web server corresponding to a record of a	D2: Page 21, lines 23-25.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
communication channel made	D3: Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C.
by said at least one digital		§103(a) as obvious in view of D1 in
logger.	1	combination with D2 and/or D3. It
		would have been obvious to a person
	•	of ordinary skill in the art including the archived data at the Web server of
		D2 and/or D3 to have a backup
		archive for important recordings.
		This cleim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D2 in
•	1	combination with D1 and/or D3. It would have been obvious to one of
		ordinary skill in the art to incorporate
		D1 and/or D3 's digital logger
		essociated with input from a plurality of input channels to make recordings
		available to more clients across a
		greater geographical area.
		This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D3 in
,		combination with D1 and/or D2. It would have been obvious to one of
		ordinary skill in the art to incorporate
		the web server and digital logger

'920 Claim	Prior Art Reference(s)	Invalidity Bases
·		associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
22. A method for accessing information in at least one digital logger storing data from a plurality of input channels, comprising:	D1: Page 2, Para. 30; Page 2, para. 17.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 3, line 56 - Col. 4, line 10; Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2.
at a Web server having access to said at least one digital logger,	D1: Page 2, para. 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D3 o make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
receiving a request from a client for retrieval of stored data from one or more of a plurality of input channels;	D2: Page 20, lines 28-29. D3: Col. 11, lines 15-22.	
retrieving data comprising said stored data in accordance with said received request; and transferring said retrieved data to the client.	D1: Page 1, para. 40, 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.	

'920 Claim	Prior Art Reference(s)	Invalidity Bases
and transferring the retrieved	D1: Page 1, para. 42.	·
data to the client.	D2: Page 21, lines 23-25.	ļ
	D2. Page 21, Intel 23-23.	
	D3: Col. 11, lines 18-22.	
	12	This claim is invalid under 35 U.S.C.
23. The method of claim 22 wherein the step of retrieving	DI: Page 1, para. 13.	§102(e) as anticipated by D1.
stored data comprises accessing	D2: Page 21, lines 23-25;	
a record of an input channel	Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C.
made by said at least one digital	D3: Abstract; Col. 4, lines 37-54.	§102(b) as anticipated by D2.
logger.	D3: Abstract; Col. 4, mics 37-34.	This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D3.
		my 1.4 to book and a 25 US C
		This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D2 in
		combination with D1 and/or D3. It
		would have been obvious to one of
		ordinary skill in the art to incorporate
		D1 and/or D3 's digital logger associated with input from a plurality
		of input channels to make recordings
		available to more clients across a
		greater geographical area.
		This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D3 in
		combination with D1 and/or D2. It would have been obvious to one of
		ordinary skill in the art to incorporate
		the web server and digital logger
		associated with input from a plurality
		of input channels of D1 and/or D2 to make recordings available to more
		clients across a greater geographical
		area.
		mt databalancia ada Serie C
24. The method of claim 23	D1: Page 2, para, 35.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.
wherein the step of retrieving stored data comprises accessing	D2: Page 21, lines 30 - Page 22, line	
call information for a record of	1.	This claim is invalid under 35 U.S.C.
an input channel made by said	70 C-1 S Park 10 10 Col 4 Bons	§102(b) as anticipated by D2.
at least one digital logger.	D3: Col. 9, lines 13-17; Col. 4, lines	This claim is invalid under 35 U.S.C.
	37.30	§102(b) as anticipated by D3.
A STATE OF THE SECTION		This plaim is invalid under 35 U.S.C. \$103(a) as obvious in view of D2 in
		combination with D1 and/or D3. It
		would have been obvious to one of
		ordinary skill in the art to incorporate
}		D1 and/or D3 's digital logger associated with input from a plurality
		of input channels to make recordings

'920 Claim	Prior Art Reference(s)	Invalidity Bases
		available to more clients across a
		greater geographical area.
		This delicate to the state of
!	-	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in
		combination with D1 and/or D2. It
		would have been obvious to one of
		ordinary skill in the art to incorporate
		the web server and digital logger
		associated with input from a plurality
		of input channels of D1 and/or D2 to
		make recordings available to more
		clients across a greater geographical area.
		moa.
25. The method of claim 24	D1: Page 1, para. 13.	This claim is invalid under 35 U.S.C.
wherein said call information	· ·	§102(e) as anticipated by D1.
comprises voice data.	D2: Page 21, lines 23-25;	
	Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C.
	D3: Abstract; Col. 4, lines 37-54.	§102(b) as anticipated by D2.
	Do. Appliant, Col. 4, Intes 57454.	This claim is invalid under 35 U.S.C.
		\$102(b) as anticipated by D3.
·		This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D2 in
1		combination with D1 and/or D3. It
		would have been obvious to one of ordinary skill in the art to incorporate
1.		D1 and/or D3 's digital logger
		associated with input from a plurality
		of input channels to make recordings
		available to more clients across a
		greater geographical area.
		This claim is invalid under 35 U.S.C.
	·	§103(a) as obvious in view of D3 in
		combination with D1 and/or D2. It
		would have been obvious to one of
		ordinary skill in the art to incorporate
	·	the web server and digital logger
		associated with input from a plurality of input channels of D1 and/or D2 to
		make recordings available to more
		clients across a greater geographical
		area.
O C Prop. out able to the first and the same	100	
28. The method of claim 22 wherein the step of retrieving	D1: Page 8; para. 103; Page 8; para.	This claim is invalid under 35 U.S.C.
stored data comprises accessing		§102(b) as anticipated by D2.
archived data at the Web server	D2: Page 21, lines 23-25.	This claim is invalid under 35 U.S.C.
corresponding to a record of an		§102(b) as anticipated by D3.
input channel made by said at	D3: Col. 3, lines 59-64.	
least one digital logger.		This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D1 in

'920 Claim	Prior Art Reference(s)	Invalidity Bases
720 Cann.		combination with D2 and/or D3. It would have been obvious to a person of ordinary skill in the art including the archived data at the Web server of D2 and/or D3 to have a backup archive for important recordings.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.

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Document2 19

### U.S. Pat. No. 6,959,079 Invalidity Chart

'079 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Teknekron Infoswitch website,	•
	dated July 1997.(WSNSDE0010761)	
	D2: U.S. Patent No. 5,790,798 to	
	Beckett II, et al., issued August 4, 1998, filed May 31, 1996.	
	(WSNSDE0005413-31)	
	D3: U.S. Patent No. 5,867,559 to	
	Jorgenson, et al., issued February 2,	
	1999, filed February 20, 1996. (WSNSDE0005592-600)	
	D4: U.S. Patent No. 6,263,049 B1 to	
	Kuhn, issued July 17, 2001, filed	
	September 25, 1997, claiming priority	
1	to U.S. Provisional Application Serial No. 60/028,192 filed October 10, 1996.	
	(WSNSDE0006158-71)	•
	D5: U.S. Patent No. 6,370,574 to	
	House, et al., issued April 9, 2002,	
	filed December 16, 1998. (WSNSDE0006331-55)	
	D6: U.S. Patent No. 6,600,821 to Chan, et al., issued July 29, 2003, filed	
	October 26, 1999.	
	(WSNSDE0006684-94)	
	D7: U.S. Patent No. 6,404,857 to Blair,	
	et al., issued on June 11, 2002, filed February 10, 2000, claiming priority to	,
	U.S. Patent Application Ser. No.	
	08/936,428, filed September 24, 1997. (WSNB018866-74)	
A monitoring system for monitoring interactions of an	D1: "Desktop Screen Capture" page.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
agent with customers	D2: column 1, lines 21-25, and lines	
comprising:	52-56.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D2.
	D3: column 1, lines 7-9.	
	D4: column 1, lines 14-17, and lines	Claim 1 is invalid under 35 U.S.C. § 102(b) as anticipated by D3.
	28-30.	
	D5: column 1, lines 35-38, and column	Claim 1 is invalid under 35 U.S.C. \$102(e) as anticipated by D4.
	1, line 66 - column 2, line 3.	
		Claim 1 is invalid under 35 U.S.C. \$102(e) as anticipated by D5.
		3102(c) as minerpanor of or.

# U.S. Pat. No. 6,959,079 Invalidity Chart

'079 Claim	Prior Art Reference(s)	Invalidity Bases
a voice logger to receive and record audio of a telephone call	D1: "Desktop Screen Capture" page.	
of said agent;	D2: column 15, lines 20-27.	
	D3: column 1, lines 52-56.	
	D4: column 9, lines 45-61.	
	D5: column 6, lines 7-23.	
a screen logger to receive and record video screen data	D1: "Desktop Screen Capture" page.	
associated with interactions of said agent with a computer	D2: column 4, lines 33-50.	
during the telephone call; and	D3: column 1, lines 56-61, and column 1, line 66 – column 2, line 4.	
	D4: column 9, lines 45-61.	
	D5; column 6, lines 7-23.	
an event manager to determine whether said interactions with	D1: "On Demand" page.	•
the computer during the telephone call meet at least one	D2: column 6, lines 15-26.	
predefined monitoring condition.	D3: column 3, lines 25-33.	
	D4: column 11, lines 1-14.	
F m	D5: column 17, lines 8-13.	Claim 5 is invalid under 35 U.S.C.
5. The monitoring system of claim 1, further comprising: an	D1: "P&Q Review" page.	§102(b) as anticipated by D1.
evaluator coupled to said voice logger and to said screen logger	D4: column 11, tines 40-53.	Claim 5 is invalid under 35 U.S.C.
to enable design of evaluation forms.	D4: column 9, lines 32-36.	§102(e) as anticipated by D4.

### U.S. Pat. No. 6,959,079 Invalidity Chart

'079 Claim	Prior Art Reference(s)	Invalidity Bases
6. The monitoring system of	D1: "P&Q Review" page.	Claim 6 is invalid under 35 U.S.C.
claim 5, wherein said evaluator		§102(b) as anticipated by D1.
is able to perform automated	D4: column 9, lines 32-36.	
evaluations based on predefined		Claim 6 is invalid under 35 U.S.C.
programming.	D6: column 4, line 56 – column 5, line	§102(e) as anticipated by D4.
	6.	51 41 11 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1
1		Claim 6 is invalid under 35 U.S.C.
	D7: column 3, lines 7-43.	§103 as obvious in view of D6 in combination with D1 and/or D4.
		combination with D1 and/or D4.
		Claim 6 is invalid under 35 U.S.C.
		§103 as obvious in view of D6 in
	·	combination with D1 and/or D4.
		Committee of the Division Divi
		This claim is invalid under 35 U.S.C.
		§ 103 as being obvious over D6 in
		combination with D1 and/or D4. It
		would have been obvious to one of
		ordinary skill in the art to incorporate
		the voice recognition technology of
		D6 into the call center monitoring
		system of D1 or D4 in order to detect
· ·		problematic calls among those stored
		in the system.
· [		
		Claim 6 is invalid under 35 U.S.C.
		§103 as obvious in view of D7 in
•		combination with D1 and/or D4.
		Mile alatas is impulied and a 25 TT 0 FT
1		This claim is invalid under 35 U.S.C.
		§ 103 as being obvious over D7 in combination with D1 and/or D4. It
		would have been obvious to one of
		ordinary skill in the art to incorporate
		the voice recognition technology of
		D7 into the call center monitoring
		system of D1 or D4 in order to
		determine the quality of service
		provided during the call.
		heatroom matured man agent
1		

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Document2 20

'109 Claim	Prior Art Reference(s)	Invalidity Bases
-	D1: U.S. Patent No. 5,440,624,	
	priority date of Nov. 10, 1992,	
	and issue date of Aug. 8,	
	1995.(WSNSDE0004554-70)	
	D1 discloses a method and	
·	apparatus for providing adaptive	•
	administration and control of an electronic conference.	•
	electronic conterence.	
	D2: U.S. Patent No. 6,298,129,	
	priority date of Mar. 11, 1998,	
ļ	and issue date of Oct. 2,	
	2001.(WSNSDE0006185-95)	
-	D2 discloses a teleconference	
	recording and playback system	
	and associated method.	
	D3: U.S. Patent No. 6,668,044	
	priority date of Jul. 19, 2000,	
	and issue date of Dec. 23, 2003.	
	(WSNSDE0006789-803) D3	
	discloses a system and method	
	for recording telephonic	
	communications.	
	į	
	D4: PCT WO99/46702, priority	
	date of Mar. 13, 1998, and	
	publication date of Sep. 16,	
	1999 (WSNSDE0008501-40) Y	
	D4 discloses a method of	
1	dynamic video annotation that includes recording a	
	collaborative session of users.	
	Contract to hadrant or many	
	D5: U.S. Patent Pub. No.	
	2001/0043697, priority date of	
	May 11, 1998, and publication	
	date of Nov. 22,	
	2001.(WSNSDE0000860-73)	
	D5 discloses monitoring of and	
	remote access to call center	
	activity.	

'109 Claim	Prior Art Reference(s)	Invalidity Bases
1. A method for recording at		This claim is invalid under 35
least a portion of one or more of	<b>(</b>	U.S.C. §102(b) as anticipated by
a plurality of IP data sessions,		DI.
each being between at least a		
first communication device and		This claim is invalid under 35
a second communication device	1	U.S.C. §102(e) as anticipated by
through a network by a		D2.
recording device, comprising for		
each IP data session;		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
•		D3.
		7751-i i- t114 3 0.5
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D4.
		D-7.
		This claim is invalid under 35
Į	}	U.S.C. §102(e) as anticipated by
		D5.
· ·		
initiating the data session by said	D1, col. 3, ll. 6-19; col. 5, ln. 30	
first communication device with	-col. 7, ln. 16.	
said second communication		
device;	D2, col. 3, 11, 9-29.	
i ·		
	D3, col. 6, ll. 11-39; col. 10, ll.	
	50-60; Fig. 6.	
	D4, pg. 4, ll. 1-6; pg. 7, ll. 23-28;	
· ·	pg. 6, Il. 3-10; pg. 11, II, 5-12.	
	pg. v, m 5-10, pg. 11, m, 5-12.	
	D5, paras. 81 and 82.	
	1,	
	·	
implementing the data session as	D1, col. 2, ll. 43 – 65; col. 5, ln.	
a conference call through a	62 - col. 6, ln. 4; col. 6, ll. 54-	
conference controller such that	[ 61.	
said first and second		
communication devices are	D2, col. 5, ln. 59 - col. 6, ln. 7.	
connected, respectively, as first	D2 and 6 It 11 20- and 10 25	
and second participants;	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	
	JU-00, Fig. 0.	
	D4, pg. 7, ll. 23-28; pg. 14, ll.	
	24-32.	
	D5: paras, 28 - 32; 38, 56, 72,	

'109 Claim	Prior Art Reference(s)	Invalidity Bases
using the conference controller,	D1, col. 3, ln. 62 - col. 4, ln. 4;	
selectively entering the	col. 6, ln. 64 - col. 7, ln. 6; col.	
recording device to said	7, ln. 59 - col. 8, ln. 15.	j
conference call as an additional		
participant, wherein the	D2, col. 3, ll. 41-63.	
recording device is distinct from		į.
the first and second	D3, col. 6, ll. 11-39; col. 10, ll.	
communication devices yet	50-60; Fig. 6.	
receives as the additional	74 14 11 10 20	1
participant at least the portion of the IP data session from each of	D4, pg. 14, ll. 12-32.	
the first and second participants;	D5: paras. 28-32; 38, 49, 56, 72,	
and	82, 83, 84 and 85.	
anu	62, 65, 64 mid 65.	
1		
recording at least the portion of	D1, col. 3, ln. 62 - col. 4, ln. 4;	
the IP data session received as	col. 6, ln. 64 – col. 7, ln. 6; col.	
the additional participant of said	7, ln. 59 - col. 8, ln. 15.	
conference call using said	ma . a . d	
recording device,	D2, col. 3, ln. 64 – col. 4, ln. 25.	
	D3, col. 6, ll. 11-39; col. 10, ll.	
	50-60; Fig. 6.	
1	D4, pg. 4, ll. 26-30; pg. 5, ll. 23-	
	28; pg. 6, II. 2-10.	
•	20 00 00 56 50	
	D5: paras. 28 – 32; 38, 56, 72, 82, 83, 84 and 85.	
.] ·	\$2, 63, 64 and 63.	
2. The method of claim 1,	D1, col. 3, ln. 62 - col. 4, ln. 4;	This claim is invalid under 35
wherein the step of selectively	col. 6, ln. 64 – col. 7, ln. 6; col.	U.S.C. §102(b) as anticipated by
entering the recording device to	7, In. 59 - col. 8, ln. 15.	D1.
said conference call includes the	7001 0 33 0 45	This claim is invalid under 35
step of directing the recording	D2, col. 2, 11. 9-16.	U.S.C. §102(e) as anticipated by
device to enter said conference call as the additional participant	D3, col. 6, ll. 11-39; col. 10, ll.	D2.
when a data session has been	50-60; Fig. 6.	
initiated.		This claim is invalid under 35
Anna de manue ven	D4, pg. 14, ln. 24 - pg. 15, ln. 2.	U.S.C. §102(e) as anticipated by
		D3.
·	D5: paras, 72, 82, 83, 84 and 85.	PDL3 - 1-2 - 1-2 - 1-2
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by
		D4:
		This claim is invalid under 35
	The second second	U.S.C. §102(e) as anticipated by
		105

'109 Claim	Prior Art Reference(s)	Invalidity Bases
3. The method of claim 1,	D1, col. 3, ln. 62 - col. 4, ln. 4;	This claim is invalid under 35
including the additional step of	col. 6, ln. 64 – col. 7, ln. 6; col.	U.S.C. §102(b) as anticipated by
permitting a user of at least one	7, ln. 59 - col. 8, ln. 15.	D1.
of the first and second	D21 2 11 0 16	mr. 12 1 1 1 0 m
communication devices to	D2, col. 2, 11. 9-16.	This claim is invalid under 35
determine whether the session is	D23 6 11 11 20,1 10 11	U.S.C. §102(e) as anticipated by
to be recorded prior to entering the recording device as the	D3, coi. 6, ll. 11-39; col. 10, li. 50-60; Fig. 6.	D2.
additional participant	30-00; £1g. 0.	This claim is invalid under 35
aduttolist barresballt	D4, pg. 8, 11. 7 – 32.	U.S.C. §102(e) as anticipated by D3.
•	D5 as applied to claim 1 above.	] ~~.
	, —	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D4.
		This claim is invalid 35 U.S.C. §
		103 as being obvious over D5 in
		combination with any one of D1,
		D2, D3 or D4. It would have been obvious to one of ordinary
		skill in the art to incorporate the
		user permission teachings of
		documents D1, D2, D3 or D4
·		with the teachings of D5 to
		provide users with the option to
		initiate a recording session.
	70.1000	
4. The method of claim 1,	D2, col. 3, 11. 9-29.	This claim is invalid under 35
wherein the connection of the second communication device is	D2 col 6 11 11 20; col 10 11	U.S.C. §102(e) as anticipated by
established by the conference	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	D2.
controller by: passing telephone	50-00, Fig. 0.	This claim is invalid under 35
numbers to a gatekeeper for	D4, pg. 4, il. 2-7; pg. 6, il. 3-10.	U.S.C. §102(e) as anticipated by
performing IP address	~ 1, pg1, m. s-1, pg. 0, m. 5-10.	D3.
resolution, and using a resolved	D5: Para, 31,	
IP address of the second		This claim is invalid under 35
communication device for	1	U.S.C. §102(b) as anticipated by
connecting the second		D4.
communication device to the		
conference call.		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.

## U.S. Pat. No. 7,010,109 Invalidity Chart

'109 Claim	Prior Art Reference(s)	Invalidity Bases
5. The method of claim 1,	D1, col. 3, ln. 62 - col. 4, ln. 3.	This claim is invalid under 35
wherein the step of selectively		U.S.C. §102(b) as anticipated by
entering the recording device to	D2, col. 2, ll. 9-16.	DI,
said conference call is in		,
response to a command that the	D3, col. 1, ln. 57 - col. 2, ln. 3;	This claim is invalid under 35
data session is to be recorded.	col. 10, in. 64 – col. 11, in.16;	U.S.C. §102(e) as anticipated by
	col. 11, ll. 32-56; col. 12, ll. 1-	D2.
	32.	
		This claim is invalid under 35
	D4, pg. 8, 11. 7 – 32.	U.S.C. §102(e) as anticipated by D3.
	D5: paras, 38, 82-85.	===
	23. pm25. 20, 02 22.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
		- "
ŕ	,	This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		DS.
6. The method of claim 5.	D1, col. 8, ll. 32 - 46; col. 9, ll.	This claim is invalid under 35
including the additional step of	18-31; col. 9, 11, 51-63.	U.S.C. §102(b) as anticipated by
providing the command from a		Di.
scheduler.	D2, col. 6, ll. 26-39.	
		This claim is invalid under 35
ļ	D5, para. 91.	U.S.C. §102(e) as anticipated by
•		D2.
	D3, as applied to claim 5 above.	
		This claim is invalid under 35
	D4, as applied to claim 5 above.	U.S.C. §102(e) as anticipated by
1		D5.
		This claim is invalid 35 U.S.C. §
	1	103 as being obvious over D3 or
		D4 in combination with any one
1	<b>)</b>	of D1, D2 or D5. It would have
		been obvious to one of ordinary
(		skill in the art to incorporate the
	,	scheduler teachings of
		documents D1, D2 or D5 with
		the teachings of D3 or D4 to
		provide scheduled recording of
		calls.
	<u> </u>	<u> </u>

'109 Claim	Prior Art Reference(s)	Invalidity Bases
7. The method of claim 6, including the additional step of locating the scheduler with the	D1, cot. 5, ln. 62 - cot. 6, ln. 3; cot. 6, ln. 64 - cot. 7, ln. 6.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
recording device.	D2, col. 6, Il. 26-39; Fig. 2.	This claim is invalid under 35
	D5, paras. 89 – 92.	U.S.C. §102(e) as anticipated by D2.
	D3, as applied to claim 6 above. D4, as applied to claim 6 above.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
		D5.
		This claim is invalid 35 U.S.C. § 103 as being obvious over D3 or D4 in combination with any one
		of D1, D2 or D5. It would have been obvious to one of ordinary skill in the art to incorporate the
		scheduler teachings of documents D1, D2 or D5 with the teachings of D3 or D4 to provide an integrated scheduler and recorder.
8. The method of claim 6,	D1, col. 5, ll. 39-53; col. 7, ll. 16	This claim is invalid under 35
including the additional step of analyzing information about the	- col. 8, In. 16.	U.S.C. §102(b) as anticipated by D1.
IP data session at the scheduler to determine whether the IP data	D5, paras. 89 – 92.	This claim is invalid under 35
session is to be recorded.	D2, as applied to claim 6 above.	U.S.C. §102(e) as anticipated by D5.
	D3, as applied to claim 6 above.	This claim is invalid 35 U.S.C. §
	D4, as applied to claim 6 above.	103 as being obvious over D1 or D5 in combination with any one
	-	of D2, D3 or D4. It would have been obvious to one of ordinary skill in the art to incorporate the
-		analysis teachings of documents D1 or D5 with the teachings of D2, D3 or D4 to provide
		scheduling based on the IP data session information.
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'109 Claim	Prior Art Reference(s)	Invalidity Bases
9. The method of claim 8,	D1, col. 5, ll. 39-53; col. 7, ll. 16	This claim is invalid under 35
wherein the information includes	- col. 8, ln. 16.	U.S.C. §102(b) as anticipated by
the identity of at least one of the		D1.
first and second communication	D5, paras. 89 – 92.	This claim is invalid under 35
devices.	TO	U.S.C. §102(e) as anticipated by
	D2, as applied to claim 8 above; col. 3, 11, 9-40.	D5.
	coi. 3, n. 3-40.	23.
	D3, as applied to claim 8 above;	This claim is invalid 35 U.S.C. \$
·	cal. 11, il. 4-7.	103 as being obvious over D1 or
	·	D5 in combination with any one
	D4, as applied to claim 8 above;	of D2, D3 or D4. It would have
	col. 11, ll. 5-12.	been obvious to one of ordinary
1		skill in the art to incorporate the analysis teachings of documents
		DI or D5 with the teachings of
		D2, D3 or D4 to provide the
		identity of at least one of the
		communication devices to
		identify a recorded party.
10. The method of claim 1,	D1, col. 3, ll. 3-19; col. 5, ll. 39	This claim is invalid under 35
wherein the IP data session is	53; col. 6, Il. 5-15.	U.S.C. §102(b) as anticipated by
either an IP telephony session or	7001 2 W 0 20	D1.
an IP multimedia session.	D2, col. 3, ll. 9-29.	This claim is invalid under 35
1	D3, col. 6, ll. 40-48.	U.S.C. §102(e) as anticipated by
	20,000 4,22 10 12	D2.
	D4, pg. 7, 11. 3-9.	
		This claim is invalid under 35
	D5, para. 49.	U.S.C. §102(e) as anticipated by
	}	D3.
		This claim is invalid under 35
	1	U.S.C. §102(b) as anticipated by
		D4.
	}	
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
	DC 11 C 12 CO 221 C 12 C	D5. This claim is invalid under 35
11. The method of claim 1,	D1, col. 5, ln. 62 – col. 6, ln. 3; col. 6, ln. 64 – col. 7, ln. 6.	U.S.C. §102(b) as anticipated by
wherein the step of initiating the	1 COL 0, III, 04 COL 7, III, 04	D1.
data session is detected by a recording agent, and wherein	D3, col. 1, In. 57 - col. 2, In. 3;	
said recording agent contacts the		This claim is invalid under 35
recording device	col. 11, if. 32-56; col. 12, il. 1-	U.S.C. §102(c) as anticipated by
	32.	D3.
1400年的政治公司的政治的	网络特别人名英格兰 化二甲基	The state of the state of
	D4; pg. 5, 11, 20-28.	This claim is invalid under 35
	De 33 10 00 02 04 54 05	U.S.C. §102(b) as anticipated by D4.
	D5: pares. 72, 82, 83, 84 and 85.	1.04.
. ┧		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
13. The method of claim I,	D1, col. 2, II. 43 - 65; col. 5, In.	This claim is invalid under 35
wherein the conference	62 - col. 6, ln. 4; col. 6, ll. 54-	U.S.C. §102(b) as anticipated by
controller implements said	61; col. 7, ln. 17 – col. 8, ln. 3.	D1.
conference call in response to a		
request to initiate the conference	D2, col. 1, II. 6-19.	This claim is invalid under 35
call.	,	U.S.C. §102(e) as anticipated by
	D3, col. 2, ln. 60 - col. 3, ln. 19;	D2.
	col. 9, 11. 15-41; col. 12, 11. 22-	
)	32.	This claim is invalid under 35
)		U.S.C. §102(e) as anticipated by
·	D4, pg. 8, 11, 7-32,	D3.
	134, pg, 6, 11, 1-32,	D3.
}	D5: paras. 72, 82, 83, 84 and 85.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
1		D4.
		<del></del> ,
1		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
14. The method of claim 13,	D1, cal. 2, il. 43 – 65; col. 5, in.	This claim is invalid under 35
wherein the request is from at	62 - col. 6, In. 4; col. 6, Il. 54-	U.S.C. §102(b) as anticipated by
least one of the recording device,	61; col. 7, In. 17 - col. 8, In. 3.	D1.
the first communication device,		
the second communication	D2, col. 1, 11, 6-19,	This claim is invalid under 35
device, and an other component	22,000, 2,000 0 00,	U.S.C. §102(e) as anticipated by
on the network	D3, col. 2, ln. 60 - col. 3, ln. 19;	D2.
of dis listiful	col. 9, Il. 15-41; col. 12, Il. 22-	T-7
	32.	This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
•	D4, pg. 8, 11, 7-32.	D3.
į	and the state of t	
i	D5: paras, 72, 82, 83, 84 and 85.	This claim is invalid under 35
1	D3. paras, 12, 02, 03, 04 and 03.	U.S.C. §102(b) as anticipated by
		D4.
	·	
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
15. The method of claim 1,	D2, col. 3, II. 9-40.	This claim is invalid under 35
wherein said first	· ·	U.S.C. §102(e) as anticipated by
communication device is a	D3, col. 5, ll. 50 - col. 6, ll. 11.	D2.
gateway for receiving		
communication through a PSTN.	D4, pg. 10, 11, 25-28; pg. 14, ln	This claim is invalid under 35
	25 - pg. 15, In. 2.	U.S.C. §102(e) as anticipated by
月秋 医乳色溶液 医双头皮		D3;
	D5, para. 48	
		This claim is invalid under 35
<b>都 100 1 包在 4 120 1 1-12</b>		U.S.C. §102(b) as anticipated by
		D4.
	The state of the s	
	· ·	This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
		AMERICAN STREET, S. S. S. S. S. S. S. S. S. S. S. S. S.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
16. The method of claim 1,	D5, paras. 47 and 58.	This claim is invalid under 35
wherein the recording device		U.S.C. §102(e) as anticipated by
joins the data session performed	•	DS.
through a hunt group.	·	
17. The method of claim 16,	D5, paras. 47, 49 and 58.	This claim is invalid under 35
including the additional step of		U.S.C. §102(e) as anticipated by
identifying the hunt group using	1	D5.
a gatekeeper.		
18. The method of claim 1,	D1, col. 6, ll. 33-53.	This claim is invalid under 35
wherein at least one of the first		U.S.C. \$102(b) as anticipated by
communication device and the	D2, col. 3, 11, 9-29.	DI.
second communication device is		
a non-IP telephony device	D3, col. 5, il. 50 - col. 6, il. 11.	This claim is invalid under 35
	·	U.S.C. §102(e) as anticipated by
	D4, pg. 10, ln. 25 - pg. 11, ln. 4.	D2.
	D5, paras. 48 and 49.	This claim is invalid under 35
	25, paras. 15 min 15t	U.S.C. §102(e) as anticipated by
		D3.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
		This claim is invalid under 35
	į	U.S.C. §102(e) as anticipated by
		D5.
19. The method of claim 18,	D1, col. 3, ln. 62 - col. 4, ln. 4;	This claim is invalid under 35
wherein the step of selectively	col. 6, ln. 64 – col. 7, ln. 6; col.	U.S.C. §102(b) as anticipated by
entering the recording device to	7, In. 59 - col. 8, In. 15.	D1,
said conference call includes the		1
step of directing the recording	D2, col. 5, ln. 59 - col. 6, ln. 7.	This claim is invalid under 35
device to enter said conference	•	U.S.C. §102(e) as anticipated by
call as the additional participant	D3, cot. 2, in. 60 - col. 3, in. 19;	D2.
when a data session has been	col. 6, 11. 11-39; col. 9, 11. 15-41;	
initiated.	col. 10, ll. 50-60; col. 12, ll. 22-	This claim is invalid under 35
	32.	U.S.C. §102(e) as anticipated by
		D3.
	D4, pg. 14, ln. 12 - pg. 15, ln. 2.	
		This claim is invalid under 35
}	D5: paras, 72, 82, 83, 84 and 85.	U.S.C. §102(b) as anticipated by
	t	D4.
1'		This claim is invalid under 35
		U.S.C. \$102(e) as anticipated by
<u> </u>	de la companya de la companya de la companya de la companya de la companya de la companya de la companya de la	D5.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
21. The method of claim 18, wherein the step of selectively	D1, col. 3, in. 62 – col. 4, in. 3.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
entering the recording device to said conference call is in	D2, col. 3, 11. 9-29.	DI.
response to a command that the data session is to be recorded.	D3, col. 1, ln. 57 – col. 2, ln. 3;	This claim is invalid under 35
data acasion is to be recorded.	col. 10, ln. 64 – col. 11, ln.16; col. 11, ll. 32-56; col. 12, ll. 1- 32.	U.S.C. §102(e) as anticipated by D2.
	D4, pg. 8, 11, 7-32.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.
	D5: paras. 38, 82-85.	1
į		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
22. The method of claim 21, including the additional step of providing the command from a	D1, col. 8, ll. 32 – 46; col. 9, ll. 18 – 31; col. 9, ll. 51 – 63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
scheduler.	D2, col. 6, ll. 26-39,	<u>.</u>
	D5, para. 91.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D2.
	D3, as applied to claim 21	
	above.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
-	D4, as applied to claim 21 above.	D5,
		This claim is invalid 35 U.S.C. § 103 as being obvious over D3 or
		D4 in combination with any one
		of D1, D2 or D5. It would have been obvious to one of ordinary
		skill in the art to incorporate the
		scheduler teachings of documents D1, D2 or D5 with
		the teachings of D3 or D4 to
		provide scheduled recording of calls.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
23. The method of claim 22,	D1, col. 5, ln. 62 - col. 6, ln. 3;	This claim is invalid under 35
including the additional step of	col. 6, ln. 64 – col. 7, ln. 6.	U.S.C. §102(b) as anticipated by
locating the scheduler with the		D1.
recording device.	D2, col. 6, ll. 26-39; Fig. 2.	This claim is invalid under 35
	D5, paras. 89 - 92.	U.S.C. §102(e) as anticipated by D2.
	D3; as applied to claim 22 above.	This claim is invalid under 35
	D4, as applied to claim 22	U.S.C. §102(e) as anticipated by D5.
	above.	
		This claim is invalid 35 U.S.C. § 103 as being obvious over D3 or D4 in combination with any one of D1, D2 or D5. It would have been obvious to one of ordinary
		skill in the art to incorporate the scheduler teachings of documents D1, D2 or D5 with
		the teachings of D3 or D4 to provide an integrated scheduler
,		and recorder.
24. The method of claim 22, including the additional step of analyzing information about the	D1, col. 5, ll. 39-53; col. 7, ll. 16 - col. 8, ln. 16.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
IP data session at the scheduler to determine whether the IP data	D5, paras. 89 – 92.	This claim is invalid under 35
session is to be recorded.	D3, as applied to claim 22 above.	U.S.C. §102(e) as anticipated by D5.
	D4, as applied to claim 22 above.	This claim is invalid 35 U.S.C. § 103 as being obvious over D1 or D5 in combination with any one
·		of D3 or D4. It would have been obvious to one of ordinary skill in the art to incorporate the
	·	analysis teachings of documents D1-or D5 with the teachings of
		D2, D3 or D4 to provide scheduling based on the IP data
		session information.
25. The method of claim 24, wherein the information include	D1, col. 5, ll. 39-53; col. 7, ll. 16 - col. 8, ln. 16.	This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D1.
the identity of at least one of the first and second communication devices.	D5, paras. 89 – 92.	This claim is invalid under 35
ncatees.		U.S.C. §102(e) as anticipated by D5.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
26. The method of claim 18,	D1, col. 5, ln. 62 - col. 6, ln. 3;	This claim is invalid under 35
wherein the step of initiating the	col. 6, ln. 64 – col. 7, ln. 6.	U.S.C. §102(b) as anticipated by
data session is detected by a	*	D1.
recording agent, and wherein	D2, col. 3, 11. 41-63.	
said recording agent contacts the		This claim is invalid under 35
recording device.	D4, pg. 5, 11. 20-28.	U.S.C. §102(e) as anticipated by
	DE 70 00 00 04 md 05	D2.
	D5, paras. 72, 82, 83, 84 and 85.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
		<i>B</i> −1.
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
28. The method of claim 26,	D1, col. 2, ll. 43 – 65; col. 5, ln.	This claim is invalid under 35
wherein the conference	62 - col. 6, ln. 4; col. 6, ll. 54-	U.S.C. §102(b) as anticipated by
controller implements said	61; col. 7, in. 17 - col. 8, in. 3.	DI.
conference call in response to a		
request to initiate the conference	D2, col. 3, ll. 41-63.	This claim is invalid under 35
call.		U.S.C. §102(e) as anticipated by
	D4, pg. 4, Il. 2-7, pg. 6, Il. 3-10.	D2.
	D5, paras. 72, 82, 83, 84 and 85.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
•		This claim is invalid under 35
}	ļ	U.S.C. §102(e) as anticipated by
	•	D5.
29. The method of claim 18,	D5, paras, 47 and 58.	This claim is invalid under 35
wherein the recording device	1	U.S.C. §102(e) as anticipated by
joins the data session performed		D5.
through a hunt group.		
30. The method of claim 29,	D5, paras. 47, 49 and 58.	This claim is invalid under 35
including the additional step of	İ	U.S.C. §102(e) as anticipated by
identifying the hunt group using	1	D5.
a gatekeeper.	701 2 11 0 00	This claim is invalid under 35
31. The method of claim 1,	D2, col. 3, Il. 9-29.	
including the additional steps of	D3, col. 1, ln. 57 - col. 2, ln. 3;	U.S.C. §102(e) as anticipated by D2.
passing telephone numbers to a gatekeeper for performing IP	col. 6, ll. 11-39; col. 10, ll. 50-	
address resolution and using a	60; Fig. 6. col. 10, In. 64 - col.	This claim is invalid under 35.
resolved IP address of the	11, ln.16; col. 11, ll. 32-56; col.	U.S.C. §102(e) as anticipated by
second configuration device in	12, 11. 1-32.	D3:
connecting the second		
communication device to the	D4, pg. 4, 11, 2-7, pg. 6, 11, 3-10.	This claim is invalid under 35
conference call, wherein the step		U.S.C. \$102(b) as anticipated by
of selectively entering the	D5, paras. 31,49, 72, 82, 83, 84	D4.
recording device to said	and 85.	
conference call includes the step		This claim is invalid under 35
of directing the recording device		U.S.C. § 102(e) as anticipated by
to enter said conference call as	1	D5.
the additional participant when a		
data session has been initiated.	1	

'109 Claim	Prior Art Reference(s)	Invalidity Bases
32. The method of claim 31,	D2, col. 2, ll. 9-16.	This claim is invalid under 35
wherein the recording device is		U.S.C. §102(e) as anticipated by
directed to enter said conference	D3, col. 1, ln. 57 - col. 2, ln. 3;	D2.
call in response to a command	col. 6, ll. 11-39; col. 10, ll. 50-	
that the data session is to be	60; Fig. 6. col. 10, ln. 64 - col.	This claim is invalid under 35
recorded.	11, in.16; col. 11, il. 32-56; col.	U.S.C. §102(e) as anticipated by
i i i i i i i i i i i i i i i i i i i	12, 11, 1-32.	D3.
	D4, pg. 8, 11. 7-32.	This claim is invalid under 35
<u> </u>		U.S.C. §102(b) as anticipated by
	D5, paras. 38, 82-85.	D4.
		This claim is invalid under 35
	,	U.S.C. §102(e) as anticipated by
		D5. This claim is invalid under 35
33. The method of claim 32,	D5, paras. 89 – 92.	U.S.C. §102(e) as anticipated by
including the additional steps of:		D5.
providing the command from a	'	D3.
scheduler; and analyzing		
information about the IP data		
session at the scheduler to determine whether the IP data		
session is to be recorded.		
34. The method of claim 33,	D5, paras. 89 - 92.	This claim is invalid under 35
wherein the information includes		U.S.C. §102(e) as anticipated by
the identity of at least one of the		D5.
first and second communication		
devices.		
35. The method of claim 1,	D1, col. 3, in. 62 - col. 4, in. 4;	This claim is invalid under 35
wherein the step of selectively	col. 6, ln. 64 – col. 7, ln. 6; col.	U.S.C. §102(b) as anticipated by
entering the recording device to	7, ln. 59 - col. 8, ln. 15.	D1.
said conference call includes the		This claim is invalid under 35
step of directing the recording	D2, col. 1, 11. 6-19.	U.S.C. §102(e) as anticipated by
device to enter said conference	ma 1 1 1 57 1 7 lm 31	D2.
call as the additional participant	D3, col. 1, ln. 57 - col. 2, ln. 3; col. 6, ll. 11-39; col. 10, ll. 50-	D2.
in response to a command that	60; Fig. 6. col. 10, ln. 64 – col.	This claim is invalid under 35
the data session is to be recorded.	11, ln.16; col. 11, ll. 32-56; col.	U.S.C. §102(e) as anticipated by
recorded.	12, ll. 1-32.	D3.
	12, 11, 1-32.	
<b>i</b> .	D4, pg. 8, ll. 7-32.	This claim is invalid under 35
·		U.S.C. §102(b) as anticipated by
	D5, paras. 38, 82-85.	D4.
1 .	1	
1		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by D5.
	7 Dr 3 S(H '20 50.22) 7 31 36	· · · · · · · · · · · · · · · · · · ·
36. The method of claim 35,	D1, col. 5, ll. 39-53; col. 7, ll. 16	
including the additional steps of:	-col. 8, ln. 16, col. 8, ll. 32 - 46;	D1.
providing the command from a	col. 9, 11, 51 - 63.	1
scheduler, and analyzing	D5, paras, 89 – 92.	This claim is invalid under 35
information about the IP data session at the scheduler to	10, paras, 07 - 32.	U.S.C. §102(e) as anticipated by
determine whether the IP data		D5.
session is to be recorded.	{	
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109 Claim	Prior Art Reference(s)	Invalidity Bases
37. The method of claim 36,	D1, col. 5, ll. 39-53; col. 7, ll. 16	This claim is invalid under 35
wherein the information includes	- col. 8, ln. 16.	U.S.C. §102(b) as anticipated by
	- col. 8, in. 10.	D1.
the identity of at least one of the	TO# 80 00	DI.
first and second communication	D5, paras. 89 - 92.	This claim is invalid under 35
devices.		
		U.S.C. §102(e) as anticipated by
		D5.
38. The method of claim I,	D1, col. 5, 11. 39-53; col. 5, ln.	This claim is invalid under 35
including the additional steps of:	62 – col. 6, ln. 3; col. 6, ln. 64 –	U.S.C. §102(b) as anticipated by
detecting the step of initiating	col. 7, ln. 6; col. 7, ll. 16 - col. 8,	D1.
the data session using a	ln. 16.	
recording agent, contacting the		This claim is invalid under 35
recording device using the	D2, col. 5, 11, 59 - col. 6, 11, 39.	U.S.C. §102(e) as anticipated by
recording agent, and receiving a		D2.
request to initiate the conference	D3, col. 1, ln. 57 - col. 2, ln. 3;	
call and performing the	col. 6, 11. 11-39; col. 10, 11. 50-	This claim is invalid under 35
implementing step in response to	60; Fig. 6. col. 10, ln. 64 - col.	U.S.C. §102(e) as anticipated by
the request, wherein the step of	11, In.16; col. 11, il. 32-56; col.	D3.
selectively entering the	12, 11. 1-32.	
recording device to said	And one was	This claim is invalid under 35
conference call includes the step	D5, paras. 31,49, 72, 82, 83, 84	U.S.C. §102(e) as anticipated by
	and 85.	D5.
of directing the recording device	Mid 65.	100.
to enter said conference call as		
the additional participant when a		
data session has been initiated.		m
39. The method of claim 38,	D3, col. 6, ll. 11-39; col. 10, ll.	This claim is invalid under 35
including the additional steps of	50-60; Fig. 6.	U.S.C. §102(e) as anticlpated by
passing telephone numbers to a		D3.
gatekeeper for performing IP	D4, pg. 4, ll. 2-7; pg. 6, ll. 3-10.	1
address resolution and using a		This claim is invalid under 35
resolved IP address of the	D5, paras. 31,49, 72, 82, 83, 84	U.S.C. §102(b) as anticipated by
second communication device in	and 85.	D4.
connecting the second		
communication device to the		This claim is invalid under 35
conference call.		U.S.C. §102(e) as anticipated by
1		D5.
40. The method of claim 38,	D3, col. 1, ln. 57 - col. 2, ln. 3;	This claim is invalid under 35
wherein the recording device is	col. 6, ll. 11-39; col. 10, ll. 50-	U.S.C. §102(e) as anticipated by
directed to enter said conference	60; Fig. 6. col. 10, ln. 64 – col.	D3.
call in response to a command	11, ln.16; col. 11, ll. 32-56; col.	
that the data session is to be	12, 11. 1-32.	This claim is invalid under 35
recorded.	A24 II. 1-12/	U.S.C. §102(b) as anticipated by
Tewnden.	D4, pg. 8, 1l. 7-32.	D4.
	1 1-32.	
		This alaim is invalid under 25
	D5, paras. 38, 82-85.	This claim is invalid under 35
	D3, Paras, 36, 62-63.	U.S.C. \$102(e) as anticipated by
1 (1/4)	THE PARTY OF THE P	D5.
41. The method of claim 38.	D5, paras, 89 - 92.	This claim is invalid under 35
including the additional steps of:		U.S.C. §102(e) as anticipated by
providing the command from a	1	D5.
scheduler; and analyzing	1	
information about the IP data		
session at the scheduler to		
determine whether the IP data		
session is to be recorded.		
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'109 Claim	Prior Art Reference(s)	Invalidity Bases
42. The method of claim 41.	D5, paras. 89 – 92.	This claim is invalid under 35
wherein the information includes	D3, paras. 03 — 32.	U.S.C. §102(e) as anticipated by
		D5.
the identity of at least one of the first and second communication	•	D3.
devices.	75.6 20 40 40 150 00	
43. The method of claim	D5, paras. 39, 47, 49 and 58, 82-	This claim is invalid under 35
1, wherein the step of selectively	85.	U.S.C. §102(e) as anticipated by
entering the recording device to		D5.
said conference call includes the		
steps of: identifying a hunt	1	
group using a gatekeeper;		·
directing the recording device to		
enter said conference call as the		
additional participant in	;	
response to a command that the		
data session is to be recorded;		
and joining the recording device		
to the data session through the		
hunt group.	•	
44. The method of claim 43,	D4, pg. 4, 1l. 2-7; pg. 6, 1l. 3-10.	This claim is invalid under 35
including the additional steps of		U.S.C. §102(b) as anticipated by
passing telephone numbers to a	D5, Para. 31.	D4.
gatekeeper for performing IP		
address resolution and using a		This claim is invalid under 35
resolved IP address of the		U.S.C. §102(e) as anticipated by
second communication device in		D5.
connecting the second		·
communication device to the		
conference call.		
45. The method of claim 43,	D4, pg. 8, ll. 7-32.	This claim is invalid under 35
wherein the recording device is		U.S.C. §102(b) as anticipated by
directed to enter said conference	D5, paras. 3B, 82-85.	D4.
call in response to a command		
that the data session is to be		This claim is invalid under 35
recorded.		U.S.C. §102(e) as anticipated by
16.00	750	D5.
46. The method of claim 45,	D5, paras. 89 – 92.	This claim is invalid under 35
including the additional steps of:		U.S.C. §102(e) as anticipated by
providing the command from a		D5.
scheduler; and analyzing		{
information about the IP data	1	
session at the scheduler to	1	
determine whether the IP data	1	
session is to be recorded.	1 30 50	200 (1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
47. The method of claim 46,	D5, paras. 89 – 92.	This claim is invalid under 35
wherein the information includes		U.S.C. §102(e) as anticipated by
the identity of at least one of the		D5.
first and second communication		
devices.	<u> </u>	<u> </u>

'109 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,440,624,	
	priority date of Nov. 10, 1992,	
	and issue date of Aug. 8, 1995.	
	D1 discloses a method and	
	apparatus for providing adaptive	•
	administration and control of an	
	electronic conference.	
	D2: U.S. Patent No. 6,298,129,	
	priority date of Mar. 11, 1998,	
4	and issue date of Oct. 2, 2001.	
	D2 discloses a teleconference	
	recording and playback system	
	and associated method.	
	D3: U.S. Patent No. 6,668,044	
	priority date of Jul. 19, 2000,	
	and issue date of Dec. 23, 2003.	
	D3 discloses a system and	
•	method for recording telephonic	
•	communications.	•
	D4: PCT WO99/46702, priority	
	date of Mar. 13, 1998, and	
	publication date of Sep. 15.	
	1999. D4 discloses a method of	
	dynamic video annotation that	
	includes recording a	
	collaborative session of users.	
	DE. H.C. Betant Dub. No.	
	D5: U.S. Patent Pub. No.	
	2001/0043697, priority date of May 11, 1998, and publication	
	date of Nov. 22, 2001. D5	
	discloses monitoring of and	
	remote access to call center	
	activity.	

'109 Claim	Prior Art Reference(s)	Invalidity Bases
48. A method for recording at least a portion of an IP data session between at least a first communication device and a		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
second communication device through a network by a recording device, comprising:		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D2.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.
·		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
initiating the data session by said	D1, col. 3, ll. 6-19; col. 5, ln. 30	
first communication device with said second communication	– col. 7, ln. 16.	
device;	D2, col. 3, 11, 9-29.	
	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	
	D4, pg. 4, ll. 1-6; pg. 7, ll. 23-28; pg. 6, ll. 3-10; pg. 11, ll. 5-12.	
	D5, paras, 81 and 82.	
implementing the data session as a conference call through a conference controller such that	D1, col. 2, ll. 43 – 65; col. 5, ln. 62 – col. 6, ln. 4; col. 6, ll. 54-61.	
said first and second communication devices are	D2, col. 5, ln. 59 - col. 6, ln. 7.	
connected, respectively, as first and second participants;	D3, col. 6, ll. 11-39; col. 10, ll. 50-50; Fig. 6.	
	D4, pg. 7, ll. 23-28; pg. 14, ll. 24-32.	
	D5, paras. 28 – 32; 38, 56, 72, 82, 83, 84 and 85.	

'109 Claim	Prior Art Reference(s)	Invalidity Bases
using the conference controller,	D1, col. 3, ln. 62 – col. 4, ln. 4;	man I i samurany and i man
selectively entering the	col. 6, In. 64 - col. 7, In. 6; col.	1
recording device to said	7. In. 59 - col. 8, ln. 15.	
conference call as an additional	7,11,105 0011 5, 21(25)	
participant, wherein the	D2, col. 3, 11, 41-63.	
recording device is distinct from	22,222, / 2 2 2 1	·
the first and second	D3, col. 6, ll. 11-39; col. 10, ll.	
communication devices yet	50-60; Fig. 6.	
receives as the additional		
participant at least the portion of	D4, pg. 14, ll. 12-32.	
the IP data session from each of		
the first and second participants;	D5, paras. 28-32; 38, 49, 56, 72,	
and	82, 83, 84 and 85.	
recording at least the portion of	D1, col. 3, ln. 62 - col. 4, ln. 4;	
the IP data session received as	col. 6, ln. 64 - col. 7, ln. 6; col.	
the additional participant of said	7, ln. 59 - col. 8, ln. 15.	
conference call using said	D2, col. 3, ln. 64 – col. 4, ln. 25.	}
recording device,	D2, tol. 3, in. 04 – col. 4, in. 23.	
	D3, col. 6, ll. 11-39; col. 10, ll.	
	50-60; Fig. 6.	
	D4, pg. 4, 11. 26-30; pg. 5, 11. 23-	İ
	28; pg. 6, 11. 2-10.	
•		
ļ	D5, paras. 28 – 32; 38, 56, 72,	
	82, 83, 84 and 85.	FRI 1 1 1 1 1 1 1 1 1 2 2 2 2 2 2 2 2 2 2
49. The method of claim 48,	D1, col. 3, in. 62 – col. 4, in. 4;	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
wherein the step of selectively	col. 6, ln. 64 - col. 7, ln. 6; col.	D1.
entering the recording device to said conference call includes the	7, ln. 59 - col. 8, ln. 15.	DI.
said conference can includes me	D2, col. 2, 11, 9-16.	This claim is invalid under 35
device to enter said conference		U.S.C. §102(e) as anticipated by
call as the additional participant	D3, col. 6, ll. 11-39; col. 10, ll.	D2.
when a data session has been	50-60; Fig. 6.	
initiated.		This claim is invalid under 35
	D4, pg. 14, in. 24 - pg. 15, in. 2.	U.S.C. §102(e) as anticipated by
		D3.
1	D5, paras. 72, 82, 83, 84 and 85.	m
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D4.
		PT
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
1	1	D5.

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'109 Claim	Prior Art Reference(s)	Invalidity Bases
50. The method of claim 48,	D1, col. 3, ln. 62 – col. 4, ln. 4;	This claim is invalid under 35
including the additional step of	col. 6, ln. 64 – col. 7, ln. 6; col.	U.S.C. §102(b) as anticipated by
permitting a user of at least one	7, ln. 59 - col. 8, ln. 15.	D1.
of the first and second		
communication devices to	D2, col. 2, ll. 9-16.	This claim is invalid under 35
determine whether the session is	7011 6 11 11 70 1 10 11	U.S.C. §102(e) as anticipated by
to be recorded prior to entering	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	D2.
the recording device as the	50-00; Fig. 6.	This claim is invalid under 35
additional participant.	D4, pg. 8, ll. 7 – 32.	U.S.C. §102(e) as anticipated by D3.
	D5 as applied to claim 48 above.	
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid 35 U.S.C. § 103 as being obvious over D5 in combination with any one of D1, D2, D3 or D4. It would have been obvious to one of ordinary skill in the art to incorporate the user permission teachings of documents D1, D2, D3 or D4
		with the teachings of D5 to provide users with the option to initiate a recording session.
51. The method of claim 48,	D2, col. 3, ll. 9-29.	This claim is invalid under 35
wherein the connection of the	army dogs of the 2-max	U.S.C. §102(e) as anticipated by
second communication device is established by the conference	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	D2.
controller by: passing telephone		This claim is invalid under 35
numbers to a gatekeeper for	D4, pg. 4, ll. 2-7; pg. 6, ll. 3-10.	U.S.C. §102(e) as anticipated by
performing IP address		D3.
resolution, and using a resolved	D5, Para. 31.	
IP address of the second		This claim is invalid under 35
communication device for		U.S.C. §102(b) as anticipated by D4.
connecting the second communication device to the		WT.
conference call.		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.

*109 Claim	Prior Art Reference(s)	Invalidity Bases
56. The method of claim 55,	D1, col. 5, 11, 39-53; col. 7, 11, 16	This claim is invalid under 35
wherein the information includes	-col. 8, ln. 16.	U.S.C. §102(b) as anticipated by
the identity of at least one of the		D1.
first and second communication	D5, paras. 89 - 92.	
devices.	_	This claim is invalid under 35
	D2, as applied to claim 8 above;	U.S.C. §102(e) as anticipated by
	col. 3, 11, 9-40.	D5.
	D3, as applied to claim 8 above; col. 11, il. 4-7.  D4, as applied to claim 8 above; col. 11, il. 5-12.	This claim is invalid 35 U.S.C. § 103 as being obvious over D1 or D5 in combination with any one of D2, D3 or D4. It would have heen obvious to one of ordinary skill in the art to incorporate the analysis teachings of documents D1 or D5 with the teachings of D2, D3 or D4 to provide the identity of at least one of the communication devices to identify a recorded party.
	D1, col. 3, ll. 3-19; col. 5, ll. 39	This claim is invalid under 35
57. The method of claim 48,	DI, col. 3, ii. 3-19; coi. 3, ii. 39	U.S.C. §102(b) as anticipated by
wherein the IP data session is	-53; col. 6, ll. 5-15.	D1,
either an IP telephony session or	D2, col. 3, ll. 9-29.	
an IP multimedia session.	102, 001, 3, 11, 5-25.	This claim is invalid under 35
	D3, col. 6, 11, 40-48.	U.S.C. §102(e) as anticipated by D2.
	D4, pg. 7, II. 3-9.	
	D7, pg. 7, 2	This claim is invalid under 35
	D5, para, 49.	U,S.C. §102(e) as anticipated by D3.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
		-"
ļ ·	· ·	This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
58. The method of claim 48,	D1, col. 5, ln. 62 - col. 6, ln. 3;	This claim is invalid under 35
wherein the step of initiating the		U.S.C. §102(b) as anticipated by
data session is detected by a		.D1.
recording agent, and wherein	D3, col. 1, ln. 57 - col. 2, ln. 3;	man in the second secon
said recording agent contacts the	col. 10, ln. 64 - col. 11, ln. 16;	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
recording device.	col. 11, Il. 32-56; col. 12, Il. 1-	D3.
	<b>32.</b>	
	D4, pg. 5, il. 20-28.	This claim is invalid under 35
	D'T, PE. 3, 11, 20 20.	U.S.C. §102(b) as anticipated by
	D5, paras. 72, 82, 83, 84 and 85.	
1 ' '		This claim is invalid under 35
<u> </u>		U.S.C. §102(e) as anticipated by
		D5.

tigo Chi-	Prior Art Reference(s)	Invalidity Bases
'109 Claim  60. The method of claim 48,	D1, col. 2, li. 43 - 65; col. 5, ln.	This claim is invalid under 35
wherein the conference	62 - col. 6, ln. 4; col. 6, ll. 54-	U.S.C. §102(b) as anticipated by
controller implements said	61; col. 7, ln. 17 - col. 8, ln. 3.	D1.
conference call in response to a	<b>32,</b> 33, 7,	
request to initiate the conference	D2, col. 1, 11, 6-19.	This claim is invalid under 35
	DE, 0011 2, 21 0 22 1	U.S.C. §102(c) as anticipated by
call.	D3, col. 2, ln. 60 - col. 3, ln. 19;	D2.
	col. 9, 11. 15-41; col. 12, 11. 22-	
	32.	This claim is invalid under 35
	J4.	U.S.C. §102(e) as anticipated by
	D4, pg. 8, 11. 7-32.	D3.
	104, pg. 6, n. 7-52.	
	DS, paras. 72, 82, 83, 84 and 85.	This claim is invalid under 35
	Do, paras, 12, 62, 65, 6 7 and 607	U.S.C. §102(b) as anticipated by
		D4.
İ		- "
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
	D1, col. 2, ll. 43 – 65; col. 5, ln.	This claim is invalid under 35
61. The method of claim 60,	62 - col. 6, ln. 4; col. 6, ll. 54-	U.S.C. §102(b) as anticipated by
wherein the request is from at		DI.
least one of the recording device,	61; col. /, m. 1/ = col. c, m. 5.	
the first communication device,	> 4 11 6 50	This claim is invalid under 35
the second communication	D2, col. 1, ll. 6-19.	U.S.C. §102(e) as anticipated by
device, and an other component	10v	D2.
on the network.	D3, col. 2, ln. 60 - col. 3, ln. 19;	DE,
·	col. 9, 11, 15-41; col. 12, 11, 22-	This claim is invalid under 35
· ·	32.	U.S.C. §102(e) as anticipated by
	1	D3.
	D4, pg. 8, 11, 7-32.	μ <sub>3</sub> .
		This claim is invalid under 35
·	D5, paras. 72, 82, 83, 84 and 85.	U.S.C. §102(b) as anticipated by
	1	
		D4.
į.		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
	10.70.040	This claim is invalid under 35
62. The method of claim 48,	D2, col. 3, 11, 9-40.	U.S.C. §102(e) as anticipated by
wherein said first	ma -1 5 11 50 -1 6 11 11	D2.
communication device is a	D3, col. 5, ll. 50 - col. 6, ll. 11.	
gateway for receiving		This claim is invalid under 35
communication through a PSTI	V. D4, pg. 10, ll. 25-28; pg. 14, ln	U.S.C. §102(e) as anticipated by
	25 - pg. 15, ln. 2.	D3:
		103.
	D5, para, 48	This claim is invalid under 35
$A_{\mathcal{A}}$		U.S.C. §102(b) as anticipated by
2017年 - 2017年 - 1944年 2017年 - 1		Live Stowers and my marketing
	•	D4.
		This claim is invalid under 35
	1	This cianti is myanu under
i	!	TIP I SINIF AS SAMAINGIAN DV
		U.S.C. §102(e) as anticipated by
		D5.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
63. The method of claim 48, wherein the recording device joins the data session performed through a hunt group.	D5, paras. 47 and 58.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
64. The method of claim 63, including the additional step of identifying the hunt group using a gatekeeper.	D5, paras. 47, 49 and 58.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
65. The method of claim 48, wherein at least one of the first communication device and the second communication device is	D1, col. 6, il. 33-53. D2, col. 3, il. 9-29.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
a non-IP telephony device.	D3, col. 5, ll. 50 – col. 6, ll. 11. D4, pg. 10, ln. 25 – pg. 11, ln. 4.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D2.
	D5, paras. 48 and 49.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
66. The method of claim 65, wherein the step of selectively entering the recording device to said conference call includes the	DI, col. 3, ln. 62 – col. 4, ln. 4; col. 6, ln. 64 – col. 7, ln. 6; col. 7, ln. 59 – col. 8, ln. 15.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
step of directing the recording device to enter said conference call as the additional participant when a data session has been	D2, col. 5, in. 59 - col. 6, in. 7.  D3, col. 2, in. 60 - col. 3, in. 19; col. 6, il. 11-39; col. 9, il. 15-41;	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D2.
initiated.	col. 10, 11, 50-60; col. 12, 11, 22-32.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.
	D4, pg. 14, ln. 12 – pg. 15, ln. 2. D5, paras. 72, 82, 83, 84 and 85.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.

'109 Claim	Prior Art Reference(s)	Invalidity Bases
68. The method of claim 65,	D1, col. 3, ln. 62 - col. 4, ln. 3.	This claim is invalid under 35
wherein the step of selectively		U.S.C. §102(b) as anticipated by
entering the recording device to	D2, col. 3, 11, 9-29.	D1.
said conference call is in		
response to a command that the	D3, col. 1, ln. 57 – col. 2, ln. 3;	This claim is invalid under 35
data session is to be recorded.	col. 10, in. 64 - col. 11, in.16;	U.S.C. §102(e) as anticipated by
	col. 11, 11. 32-56; col. 12, 11. 1-	D2.
	32.	This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
Ì	D4, pg. 8, 11. 7-32.	D3.
	D5, paras. 38, 82-85.	1
	204 }====================================	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
	·	D4.
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5,
69. The method of claim 68,	D1, col. 8, ll. 32 - 46; col. 9, ll.	This claim is invalid under 35
including the additional step of	18-31; col. 9, ll. 51-63.	U.S.C. §102(b) as anticipated by
providing the command from a		Di.
scheduler.	D2, col. 6, 11. 26-39.	This claim is invalid under 35
i.	<u></u>	U.S.C. §102(e) as anticipated by
	D5, para. 91.	D2.
1	700 - 11-d to -10-m 60	172.
1	D3, as applied to claim 68	This claim is invalid under 35
1	above.	U.S.C. §102(e) as anticipated by
	D4, as applied to claim 68	D5.
	above.	
	20070.	This claim is invalid 35 U.S.C. §
		103 as being obvious over D3 or
		D4 in combination with any one
ļ		of DI, D2 or D5. It would have
		been obvious to one of ordinary
		skill in the art to incorporate the
		scheduler teachings of
Į.		documents D1, D2 or D5 with
1		the teachings of D3 or D4 to
		provide scheduled recording of
		calls.
	<u> </u>	

۳.	'109 Claim	Prior Art Reference(s)	Invalidity Bases
70	O. The method of claim 69,	D1, col. 5, ln. 62 - col. 6, ln. 3;	This claim is invalid under 35
in	cluding the additional step of	col. 6, in. 64 – col. 7, in. 6.	U.S.C. §102(b) as anticipated by
	cating the scheduler with the		DI.
Tre	ecording device.	D2, col. 6, ll. 26-39; Fig. 2. D5, paras. 89 – 92.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
		•	D2.
		D3, as applied to claim 69 above.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
		D4, as applied to claim 69 above.	D5.
		augve.	This claim is invalid 35 U.S.C. § 103 as being obvious over D3 or D4 in combination with any one of D1, D2 or D5. It would have been obvious to one of ordinary skill in the art to incorporate the scheduler teachings of documents D1, D2 or D5 with the teachings of D3 or D4 to provide an integrated scheduler and recorder.
j	71. The method of claim 69, including the additional step of analyzing information about the	D1, col. 5, li. 39-53; col. 7, ll. 16 - col. 8, ln. 16.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
	IP data session at the scheduler to determine whether the IP data session is to be recorded.	D5, paras. 89 - 92. D2, as applied to claim 69	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
	9C93IQII 13 IO OF 16601444	above.	D5.
		D4, as applied to claim 69 above.	This claim is invalid 35 U.S.C. § 103 as being obvious over D1 or D5 in combination with any one of D2 or D4. It would have been obvious to one of ordinary skill in the art to incorporate the analysis teachings of documents D1 or D5 with the teachings of D2, D3 or D4 to provide scheduling based on the IP data
			session information.
	72. The method of claim 71, wherein the information includes the identity of at least one of the		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
	Tirst and second communication devices.	13: Trail hurday na 25.	This claim is invalid under 35 U.S.C. § 102(e) as anticipated by
		<u> </u>	D5.

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'109 Claim	Prior Art Reference(s)	Invalidity Bases
73. The method of claim 65	D1, col. 5, ln. 62 - col. 6, ln. 3;	This claim is invalid under 35
wherein the step of initiating the	col. 6, ln. 64 - col. 7, ln. 6.	U.S.C. §102(b) as anticipated by
data session is detected by a	2011 By 211, C1	D1.
recording agent, and wherein	D2, col. 3, ll. 41-63.	
said recording agent contacts the	22,001.7,21.12.02.	This claim is invalid under 35
recording device.	D4, pg. 5, ll. 20-28.	U.S.C. §102(e) as anticipated by
recording device.	D4, pg. 3, 11, 25 20,	D2.
İ	D5, paras. 72, 82, 83, 84 and 85.	
}	25, paras, 12, 02, 12, 12, 13	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
75. The method of claim 73,	D1, col. 2, ll. 43 - 65; col. 5, ln.	This claim is invalid under 35
wherein the conference	62 - col. 6, ln. 4; col. 6, ll. 54-	U.S.C. §102(b) as anticipated by
controller implements said	61; col. 7, in. 17 - col. 8, in. 3.	DI.
conference call in response to a		
request to initiate the conference	D2, col. 3, Il. 41-63.	This claim is invalid under 35
call.		U.S.C. §102(e) as anticipated by
- Train	D4, pg. 4, 11, 2-7, pg. 6, 11, 3-10.	D2.
1	D5, paras. 72, 82, 83, 84 and 85.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		1D4.
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5. This claim is invalid under 35
76. The method of claim 65,	D5, paras. 47 and 58.	This claim is invalid under 55
wherein the recording device		U.S.C. §102(e) as anticipated by
joins the data session performed		D5.
through a hunt group.	17 10 -160	This claim is invalid under 35
77. The method of claim 76,	D5, paras. 47, 49 and 58,	U.S.C. §102(e) as anticipated by
including the additional step of	j	D5.
identifying the hunt group using		D3.
a gatekeeper.	D2, col. 3, II. 9-29.	This claim is invalid under 35
78. The method of claim 48,	£2, COL 5, IL 3-25.	U.S.C. §102(e) as anticipated by
including the additional steps of	D3, col. 1, ln. 57 - col. 2, ln. 3;	D2.
passing telephone numbers to a	col. 6, 11, 11-39; col. 10, 11, 50-	1
gatekeeper for performing IP	60; Fig. 6, col. 10, ln. 64 – col.	This claim is invalid under 35
address resolution and using a	11, ln.16; col. 11, ll. 32-56; col.	U.S.C. §102(e) as anticipated by
resolved IP address of the		D3.
second communication device in connecting the second	12, 11, 1-32.	
connecting the second	D4, pg. 4, ll. 2-7, pg. 6, ll. 3-10.	This claim is invalid under 35
continuncation device to the		U.S.C. §102(b) as anticipated by
of selectively entering the	D5, paras. 31,49, 72, 82, 83, 84	D4.
recording device to said	and 85.	
conference call includes the step	1	This claim is invalid under 35
of directing the recording device		U.S.C. §102(e) as anticipated by
to enter said conference call as	' <b>1</b>	D5.
the additional participant when a		
data session has been initiated.	`	
many accession may access unsulation.		

*109 Claim	Prior Art Reference(s)	Invalidity Bases
	D2, col. 2, ll. 9-16.	This claim is invalid under 35
wherein the recording device is	DZ, COL Z, II. 3-10.	U.S.C. §102(e) as anticipated by
directed to enter said conference	D3, col. 1, ln. 57 - col. 2, ln. 3;	D2.
I	col. 6, 11. 11-39; col. 10, 11. 50-	
call in response to a command	60; Fig. 6. col. 10, In. 64 – col.	This claim is invalid under 35
that the data session is to be	11, ln.16; col. 11, ll. 32-56; col.	U.S.C. §102(e) as anticipated by
recorded.		D3.
	12, 11. 1-32.	D3,
	D4 D 15 7 20	This claim is invalid under 35
	D4, pg. 8, II. 7-32.	
	75 20 02 05	U.S.C. §102(b) as anticipated by D4.
	D5, paras. 38, 82-85.	<i>D</i> 4,
		This claim is invalid under 35
	:	U.S.C. §102(e) as anticipated by
		D5.
60 Th - 4.1 F 1 - 70	D5, paras. 89 – 92.	This claim is invalid under 35
80. The method of claim 79,	113, paras. 07 - 22.	U.S.C. §102(e) as anticipated by
including the additional steps of	ļ	D5.
providing the command from a	·	200
scheduler; and analyzing		
information about the IP data		
session at the scheduler to		
determine whether the IP data		•
session is to be recorded.  81. The method of claim 80.	D5, paras. 89 - 92.	This claim is invalid under 35
wherein the information includes	100, paras. 69 - 92.	U.S.C. §102(e) as anticipated by
the identity of at least one of the		D5.
first and second communication		13.
devices.		
82. The method of claim 48,	D1, col. 3, ln. 62 - col. 4, ln. 4;	This claim is invalid under 35
wherein the step of selectively	col. 6, in. 64 – col. 7, in. 6; col.	U.S.C. §102(b) as anticipated by
entering the recording device to	7, ln. 59 - col. 8, ln. 15.	D1.
said conference call includes the	7, Mi 05 - coli 0, Mi 251	27.1
step of directing the recording	D2, col. 1, ll. 6-19-	This claim is invalid under 35
device to enter said conference	1 22,0011 1,1110 12-	U.S.C. §102(e) as anticipated by
call as the additional participant	D3, col. 1, ln. 57 - col. 2, ln. 3;	D2.
in response to a command that	col. 6, II. 11-39; col. 10, II. 50-	
the data session is to be	60; Fig. 6. col. 10, In. 64 – col.	This claim is invalid under 35
recorded.	11, ln.16; col. 11, ll. 32-56; col.	U.S.C. §102(e) as anticipated by
TANTIOON.	12, 11. 1-32.	D3.
1	1	
1	D4, pg. 8, II, 7-32.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
	D5, paras. 38, 82-85.	D4.
		This claim is invalid under 35
	dan sakar⊬ bala da	U.S.C. §102(e) as anticipated by
decreased to have the	1	D5.
83. The method of claim 82.	D1, col. 5, 11, 39-53; col. 7, 11, 16	This claim is invalid under 35
including the additional steps of:	-col. 8, ln. 16, col. 8, lk 32-46;	U.S.C. §102(b) as anticipated by
providing the command from a	col. 9, 11, 51 - 63.	D1.
scheduler, and analyzing		
information about the IP data	D5. paras. 89 – 92.	This claim is invalid under 35
session at the scheduler to		U.S.C. §102(e) as anticipated by
determine whether the IP data		D5.
session is to be recorded.		

1100 CI-2-	Prior Art Reference(s)	Invalidity Bases
*109 Claim 84. The method of claim 83,	D1, col. 5, ll. 39-53; col. 7, ll. 16	This claim is invalid under 35
wherein the information includes	- col. 8, ln. 16.	U.S.C. §102(b) as anticipated by
the identity of at least one of the	-601. 0, 24. 10.	DL.
first and second communication	D5, paras. 89 – 92.	
devices.	D0, pm.u. u.	This claim is invalid under 35
nestres.	<b>1</b>	U.S.C. §102(e) as anticipated by
		D5.
85. The method of claim 48,	D1, col. 5, 1l. 39-53; col. 5, in.	This claim is invalid under 35
including the additional steps of:	62 - col. 6, ln. 3; col. 6, ln. 64 -	U.S.C. §102(b) as anticipated by
detecting the step of initiating	col. 7, In. 6; col. 7, II. 16 - col. 8,	D1.
the data session using a	In. 16.	
recording agent, contacting the	, <del></del>	This claim is invalid under 35
recording device using the	D2, col. 5, Il. 59 - col. 6, Il. 39.	U.S.C. §102(e) as anticipated by
recording agent, and receiving a	,	D2.
request to initiate the conference	D3, col. 1, ln. 57 - col. 2, ln. 3;	
call and performing the	col. 6, ll. 11-39; col. 10, ll. 50-	This claim is invalid under 35
implementing step in response to	60; Fig. 6. col. 10, ln. 64 col.	U.S.C. §102(e) as anticipated by
the request, wherein the step of	11, ln.16; col. 11, ll. 32-56; col.	D3.
selectively entering the	12, ll. 1-32.	
recording device to said		This claim is invalid under 35
conference call includes the step	D5, paras. 31,49, 72, 82, 83, 84	U.S.C. §102(e) as anticipated by
of directing the recording device	and 85.	D5.
to enter said conference call as		, ,
the additional participant when a		1
data session has been initiated.		
86. The method of claim 85,	D3, col. 6, ll. 11-39; col. 10, ll.	This claim is invalid under 35
including the additional steps of	50-60; Fig. 6.	U.S.C. §102(e) as anticipated by
passing telephone numbers to a	1 4 4 5 4 5	D3.
gatekeeper for performing IP	D4, pg. 4, Il. 2-7; pg. 6, 11. 3-10.	This claim is invalid under 35
address resolution and using a		U.S.C. §102(b) as anticipated by
resolved IP address of the	D5, paras. 31,49, 72, 82, 83, 84	D4.
second communication device in	and 85.	D4.
connecting the second		This claim is invalid under 35
communication device to the		U.S.C. §102(e) as anticipated by
conference call.		D5.
OF (FILE	D3, col. 1, ln. 57 - col. 2, ln. 3;	This claim is invalled under 35
87. The method of claim 85,	col. 6, ll. 11-39; col. 10, ll. 50-	U.S.C. §102(e) as anticipated by
wherein the recording device is directed to enter said conference	60; Fig. 6. col. 10, ln. 64 – col.	Ď3.
call in response to a command	11, ln.16; col. 11, ll. 32-56; col.	
that the data session is to be	12, 11. 1-32.	This claim is invalid under 35
recorded.		U.S.C. §102(b) as anticipated by
) ICLOIGEU.	D4, pg. 8, Il. 7-32.	D4.
		This claim is invalid under 35
	D5, paras. 38, 82-85.	U.S.C. §102(e) as anticipated by
		D5.
88. The method of claim 85.	D5. paras, 89 - 92.	This claim is invalid under 35
including the additional steps of		U.S.C. \$102(e) as anticipated by
providing the command from a		D5.
scheduler; and; analyzing		·
information about the IP data		\
session at the scheduler to		
determine whether the IP data		
session is to be recorded.		<u> </u>
		•

'109 Claim	Prior Art Reference(s)	Invalidity Bases
89. The method of claim 88.	D5, paras. 89 – 92.	This claim is invalid under 35
	D3, paras, 69 - 92.	
wherein the information includes	•	U.S.C. §102(e) as anticipated by
the identity of at least one of the	•	D5. ,
first and second communication		
devices		
90. The method of claim 48.	D5, paras. 39, 47, 49 and 58, 82-	This claim is invalid under 35
wherein the step of selectively	85.	U.S.C. §102(e) as anticipated by
entering the recording device to	·	D5.
said conference call includes the		
steps of: identifying a hunt		. 1
group using a gatekeeper;		
directing the recording device to		
enter said conference call as the		
additional participant in		
response to a command that the		
data session is to be recorded:		
and joining the recording device		
to the data session through the		
hunt group.		
91. The method of claim 90.	D4, pg. 4, ll. 2-7; pg. 6, ll. 3-10.	This claim is invalid under 35
including the additional steps of	154, pg, 4, 11, 2-1, pg, v, m, 5-10.	U.S.C. §102(b) as anticipated by
passing telephone numbers to a	D5, Para, 31,	D4.
gatekeeper for performing IP	D3, 1 Ma. 31.	~~
address resolution and using a		This claim is invalid under 35
resolved IP address of the		U.S.C. §102(e) as anticipated by
second communication device in		D5.
		D3.
connecting the second		
communication device to the		,
conference call.	24 6 11 7 60	
92. The method of claim 90,	D4, pg. 8, Il. 7-32.	This claim is invalid under 35
wherein the recording device is	75 40 00 05	U.S.C. §102(b) as anticipated by
directed to enter said conference	D5, paras. 38, 82-85.	D4.
call in response to a command		<b></b>
that the data session is to be		This claim is invalid under 35
recorded.		U.S.C. §102(e) as anticipated by
		D5.
93. The method of claim 92,	D5, paras. 89 - 92.	This claim is invalid under 35
including the additional steps of:		U.S.C. §102(e) as anticipated by
providing the command from a		D5.
scheduler; and analyzing	<b>]</b> .	
information about the IP data		_
session at the scheduler to	1	j ·
determine whether the IP data		
session is to be recorded.	<u> </u>	1
94. The method of claim 93,	D5, paras. 89 – 92.	This claim is invalid under 35
wherein the information includes.		U.S.C. §102(e) as anticipated by
the identity of at least one of the		D5.
first and second communication	The Market State of the State of the	
devices.		

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Document2 21

# EXHIBIT C

## EXHIBIT C

Impact 360 Workforce Optimization
Impact 360 Workforce Management
Impact 360 Quality Monitoring
Impact 360 Full-time
Impact 360 Customer Feedback
Impact 360 Customer Feedback Express
Impact 360 Customer Feedback/Customer Analysis
Impact 360 Customer Feedback/Customer Experience
Research
Impact 360 Process & Quality Analysis for Retail
Financial Services
Impact 360 IP Voice Recording for Retail Financial
Services
Impact 360 Back Office
OPTIONAL ADD-ON SOFTWARE
Impact 360 100 Percent Screen Capture
Impact 360 Advanced Business Rules
Impact 360 Advanced Scorecard
Impact 360 Application Analysis
Impact 360 Centralized Archiving
Impact 360 Competency-based Learning
Impact 360 Contact Editing
Impact 360 Contact Replay Station
Impact 360 Contact Visualization
Impact 360 Custom KPI Scorecards
Impact 360 Data-driven Recording
Impact 360 Desktop Learning Library
Impact 360 Interaction Skills Courseware
Impact 360 Lesson Management
Impact 360 Playback Through Handset
Impact 360 Shift Bidding
Impact 360 Speech Analytics
Impact 360 Speech Analytics
Impact 360 Strategic Planning
Impact 360 Time Off Management
Impact 360 Workforce Management Blended Media
Scheduling

# **EXHIBIT C**

#### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD,

> Plaintiffs and Counterclaim Defendants,

C.A. No. 1:06-CV-00311-JJF

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WITNESS SYSTEMS, INC.

Defendant and Counterclaim Plaintiff.

#### DEFENDANT WITNESS SYSTEMS, INC. S SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD. S INTERROGATORIES 1(a), 2 and 2(a)

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of the District of Delaware, Defendant Witness Systems, Inc. (Witness Systems) provides the following supplemental objections and responses to the Interrogatories propounded by Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, NICE). Subject to and without waiving its previously stated objections, Witness Systems incorporates by reference its responses and objections to NICE s First and Second Sets of Interrogatories as if set forth verbatim herein, and for brevity provides only the supplemental information for the identified interrogatories below:

#### SUPPLEMENTAL RESPONSES

#### INTERROGATORY NO. 1(a):

On a claim-by-claim basis and for each claim element, state whether you contend that NICE's response to Witness' Interrogatory No. 13 set forth in Exhibit A to that document does not demonstrate infringement of the Accused Products. For each claim element that you contend NICE has not demonstrated infringement by each Accused Product, on a claim-by-claim basis in a chart, describe in detail the factual and legal bases as to why the specific infringement contention identified in

NICE's response to Witness' Interrogatory No. 13 set forth in Exhibit A to that document does not demonstrate infringement of the Accused Products.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory as vague and ambiguous because NICE has failed to specify the products and versions accused of infringement sufficiently to identify those products falling within its definition of "Accused Product." Witness Systems again requests that NICE clarify what products and which versions it accuses infringe. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent that it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Exhibit A to its original response to this interrogatory, as well as Supplemental Exhibit A, attached hereto, which addresses the newly asserted claims of the 079 Patent. Witness Systems reserves its right to amend and/or supplement this response as discovery and Witness Systems investigations continue and after any claim construction ruling.

#### **INTERROGATORY NO. 2:**

Describe in detail the factual and legal bases for Witness' contention that [the claims of the 738, 371, 005, 345, 372, 370,'920, 079, and 109 patents are invalid for failure to comply with the United States patent laws, 35 U.S.C. §§ 1, et seq., including without limitation § § 102, 103, and/or 112. The detailed description of such factual and legal bases should include, without limitation, an identification of which aspect(s) of 35 U.S.C. § 112 Witness contends the Patents-In-Suit do not meet and an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Witness Systems also objects to this Interrogatory to the extent it calls for information comprising trade secrets, proprietary information, or other confidential or competitively sensitive technical information. Accordingly, Witness Systems responses are provided subject to the terms of the protective order entered by the Court in this action. Witness Systems also objects to this Interrogatory as vague and ambiguous to the extent it mischaracterizes and purports to state Witness Systems contention. Subject to and without waiving the foregoing objections, Witness Systems provides the following additional invalidating prior art references as set forth below.

In addition to the prior art references listed in its prior response to this interrogatory, Witness Systems believes one or more of the claims of the 345, 370 and 570 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following additional references: Eyretel Unify Computer Telephony Integration (CTI) application (all prior versions); and Eclipse application (all prior versions). In addition to the prior art references listed in its prior response to this interrogatory,

Action 3:00CV1143.

Witness Systems believes one or more of the claims of the '005 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following additional references, either alone or in combination: Racal Rapidax (sold in the U.S. as of at least December 21, 1992); Racal's 'Rapidax' Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions; Rapidax Access Voice Logging Recorder; Rapidax Instant Call Recorder; Rapidax in Surveillance and Security Monitoring; Operator's Manual.; System Manager's Manual.; Rapidax Tape Archive and System Network.; Deposition of Andrew Jackson in Dictaphone Corporation vs. Nice Systems, Ltd. (June 21, 2002), Civil Action 3:00CV1143; Expert Report on the Invalidity 5,396,371 in Dictaphone Corporation vs. Nice Systems, Ltd. (June 21, 2002), Civil

In addition to the prior art references listed in its prior response to this interrogatory, Witness Systems believes one or more of the claims of the '371 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following additional references, either alone or in combination: The Disk Drive As An Audio Recorder, Hard Disk Recording Conference (May 16-17, 1990); An Experimental Speech Storage and Editing Facility, The Bell System Technical Journal (October 1980); Mediation Brief, Analysis of Prior Art Which Anticipates or Renders Obvious the Claims of U.S. Patent No. 5,396,371, in Dictaphone Corporation vs. Mercom Systems, Inc., Civil Action 3:00CV1143; 4,375,083; JP S62-20460; Memory Space Allocation of Messages in Voice Mail, IBM Technical Disclosure Bulletin (July 1987); A Magnetic Storage Disk Based Digital Audio Recording, Editing and Processing System, 83rd AES Corporation (October 16-19, 1987); A Flexible Digital Sound-Editing Program for Minicomputer

Systems, 68th Convention of the Audio Engineering Society in Hamburg, German, Journal of Audio Engineering Society (March 17-20, 1981); NICE's Markman Brief in Dictaphone Corporation vs. Nice Systems, Ltd., (June 21, 2002), Civil Action 3:00CV1143.

#### **INTERROGATORY NO. 2(a):**

On a claim-by-claim basis in a chart, for each prior art reference identified by Witness in response to NICE's Interrogatory No. 2, identify the disclosure in each prior art reference of each limitation of the Asserted Claims in the respective Patent-in-Suit. To the extent that Witness asserts the prior art references support its invalidity defense under 35 U.S.C. § 103, it must further identify any prior art combinations and the motivation to combine those references.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Supplemental Exhibit B, which identifies additional representative, invalidating prior art for five of the ten asserted patents. Numerous other prior art references also contain the identified disclosures. Witness Systems reserves its right to amend and/or supplement this response as discovery and Witness Systems' investigation continue, and after any claim construction ruling. Witness Systems specifically reserves the right to supplement

and/or amend its response in light of information and materials that it is currently seeking from third parties.

DATED: April 30, 2007

FISH & RICHARDSON P.C.

/s/ Kyle Wagner Compton

William J. Marsden, Jr. (#2247) Kyle Wagner Compton (#4693) 919 N. Market Street, Suite 1100 P.O. Box 1114 Wilmington, DE 19899-1114 Tel: (302) 652-5070

Nagendra Setty (*Pro Hac Vice*) Daniel A. Kent (*Pro Hac Vice*) 1180 Peachtree Street, NE, 19th Floor Atlanta, GA 30309 Tel: (404) 892-5005

ATTORNEYS FOR DEFENDANT WITNESS SYSTEMS, INC.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on April 30, 2007, I caused to be served "DEFENDANT WITNESS SYSTEMS, INC.'S SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC.'S AND NICE SYSTEMS LTD.'S INTERROGATORIES 1(a), 2 and 2(a)" on counsel for Plaintiffs as follows:

#### By E-Mail and U.S. First Class Mail:

Scott G. Lindvall Daniel P. DiNapoli Joseph M. Drayton Kaye Scholer LLP 425 Park Avenue New York, NY 10022-3598 Attorneys for Plaintiffs NICE Systems, Inc. And NICE Systems,

LTD

#### By E-Mail and Hand Delivery:

Josy W. Ingersoll Melanie K. Sharp Karen E. Keller Young Conaway Stargatt & Taylor, LLP The Brandywine Building, 17th Floor 1000 West Street P.O. Box 391 Wilmington, DE 19899-0391

Attorneys for Plaintiffs NICE Systems, Inc. And NICE Systems, LTD

/s/ Kyle Wagner Compton

Kyle Wagner Compton (#4693)

# **SUPPLEMENTAL** EXHIBIT A

# U.S. Pat. No. 6,959,079 Noninfringement Claim Chart

6,959,079 Claims	Accused Product(s)
1. A monitoring system for monitoring interactions of an agent with customers comprising:	NICE lists the following "Accused Products" for the '079 Patent:  1) eQuality ContactStore for IP 2) eQuality ContactStore 3) Witness Quality for Communication Manager 4) Impact 360
a voice logger to receive and record audio of a telephone call of said agent;	NICE cites to Documents 5, 9 and 25 for this claim limitation.
a screen logger to receive and record video screen data associated with interactions of said agent with a computer during the telephone call; and	NICE cites to Documents 5, 9 and 25 for this claim limitation.  The cited portions of Documents 5, 9 and 25 fail to show "a screen logger to receive and record video screen data."
an event manager to determine whether said interactions with the computer during the telephone call meet at least one predefined monitoring condition.	NICE cites to Documents 5, 9 and 25 for this claim limitation.  The cited portions of Documents 5, 9 and 25 fail to show "an event manager to determine whether said interactions with the computer during the telephone call meet at least one predefined monitoring condition."
3. The monitoring system of claim 1, wherein said event manager is able to instruct said voice logger to begin recording of an audio portion of said telephone call and to instruct said screen logger to begin recording generally in synchronicity with said voice logger at least a portion of said video screen data when said monitoring condition is satisfied.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 9, 29, and 45 for this claim limitation.
	The cited portions of Documents 9, 29, and 45 fail to show "said event manager is able to instruct said voice logger to begin recording of an audio portion of said telephone call and to instruct said screen logger to begin recording generally in synchronicity with said voice logger at least a portion of said video screen data."

# U.S. Pat. No. 6,959,079 Noninfringement Claim Chart

6,959,079 Claims	Accused Product(s)
5. The monitoring system of claim 1, further comprising: an evaluator coupled to said voice logger and to said screen logger to enable design of evaluation forms.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claim 1, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 5, 9, 37, and 38
	for this claim limitation.  The cited portions of Documents 5, 9, 37, and 38 fail to show the claimed "evaluator coupled to said voice logger and to said screen logger".
6. The monitoring system of claim 5, wherein said evaluator is able to perform automated evaluations based on predefined programming.	NICE has failed to present evidence on a claim-by-claim and element-by-element basis sufficient to establish infringement of claims 1 and 5, from which the claim depends either directly or indirectly. Accordingly, NICE has failed to show infringement of this claim.  NICE cites to Documents 38 and 39 for this
	claim limitation.  The cited portions of Documents 38 and 39 fail to show the claimed "automated evaluations".

# **SUPPLEMENTAL EXHIBIT B**

345 Claim	Prior Art Reference(n)	Invalidity Bases
545 Ciaim	Prior Art Reference(s) D1: U.S. Patent No. 5,048,079,	Invalidity bases
	priority date of Aug. 10, 1990,	1
	and issue date of Sep. 10, 1991.	
	(WSNSDE0003251-72) D1	
	discloses a method and apparatus	
	for matching call records with	
	corresponding PBX data using a	
	probability factor.	
	D2: U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
	issue date of Dec. 14, 1999.	
	(W\$N\$DE0005882-925) D2	
	discloses an apparatus and	
	method for exchanging telephone call information	
	between two computers.	
	between two computers.	
	D3: U.S. Patent No. 5,559,875,	
	priority date of Jul. 31, 1995,	
	and issue date of Sep. 24, 1996.	
	(WSNSDE0004992-5027) D3	
	discloses a method and apparatus	
	for recording and playback of	
	audio conferences.	
	D4: U.S. Patent No. 5,982, 857,	
	priority date of Oct. 17, 1994,	·
	and issue date of Nov. 9, 1999.	
	(WSNSDE0005823-37) D4	
	discloses a system and method	
	for recording and playback of	
	telephone calls.	
	DE DIO COLLEDI - OLLIS	
	D5: Blue Cross Blue Shield	
	Eclipse Integration, sold or offered for sale in the U.S.	
	before June 8, 1999.	
	betwee June 9, 1777.	
	D6: Blue Cross Blue Shield	
	User Guide dated January 29,	
	1997 (illustrating system of D5)	
	(WSNSDE0012983-92)	
	D7: Application Development	
	Guide - Blue Cross / Blue Shield	
	Eclipse Project Eclipse  Modification and Design dated	
	November 25, 1997 (illustrating	
	system of D5)	
	(WSNSDE0012967-82).	

345 Claim	Prior Art Reference(s)	Invalidity Bases
	D8: "Tracking Agent Id through	
	Inter-Site Call Transfers"	
	(illustrating the system of D5)	
	(WSNSDE0012993-4).	
	D9: "E1000 for Windows User	
	Guide" dated July 1997	
	(illustrating the system of the	
	D5) (WSNSDE0011276-346).	
	D10: Equiserve Recording	
	Proposal presented in the U.S.	
	on May 5, 1999, which before	
	June 8, 1999.	
	(WSNSDE013106)	
	D11: "E-Ware Replay-User	
	Guide" dated November 1998	
	(illustrating the system of D5	
	and D10) (WSNSDE011798-	
	844).	
	D12: "Unify System Managers	
	Guide" dated August 1996	
	(illustrating the system of D10)	
	(WANSDE012044-70).	

345 Claim	Prior Art Reference(s)	Invalidity Bases
14. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls with three or more		D3.
participants and comprising one		
or more participants and		This claim is invalid under 35
comprising one or more		U.S.C. §102(e) as anticipated by
telephone call segments,		D4.
comprising:		This alaim is in a 12d and an OF
		This claim is invalid under 35 U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		WILL DO MIG OF DA.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D3.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D12.

345 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data	D3, col. 2, II. 1-15; col. 3, II. 58-	
regarding one or more telephone	62; col. 4., Il. 53-63.	
call segments;	D4 ( 2 1) 20 54: ( 4 1)	
	D4, col. 3, II. 30-54; col. 4, II. 16-66.	
	10-00.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	122 1 122	
	D10: D10; D11: pp. 1-1, 2-1;	
	D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	·
(b) receiving data regarding	D1, col. 3, ln. 62 col. 4 ln. 17;	It would have been obvious to
telephony events associated with	col. 7, II. 27-62; col. 13 II. 19-25;	one of ordinary skill in the art to
said telephone call segments;	col. 15, II. 27-60.	combine D1 and/or D2 with D3 and/or D4. The motivation for
	D2, col. 5, ll. 6-32; col. 22, ll.	this combination is provided in
	18-21; col. 22, Il. 52-56; col. 25,	Claim 1, above.
	И. 18-29.	·
	D3, col. 4, ll. 35-52.	
	D4, col. 4 ln. 66 col. 5 ln. 13.	
	D5: D7, pp. 4-7; D9, pp. 2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12;	
	D10: D10, D11: pp. 2-7-2-12, D12: pp. 1-1 2-1.	
	D11: pp. 2-7- 2-12.	
	D12; pp. 1-1 2-1.	
(c) storing the received audio	D3, col. 2, II. 1-15; col. 3, II. 58-	
data regarding telephone call	62; col. 4., il. 53-63.	
segments;		
	D4, col. 3, II. 30-54; col. 4, II. 16-66.	
	D5: D7, pp. 4-12; D9, pp. 2-1,	
	2-12 2-25.	
	D10: D10; D11: pp. 2-7 2-12; D12: pp. 1-1, 2-I.	
	DII 2.7. 2.12	·
	D11: pp. 2-7 2-12.	
	D12: pp. 1-1, 2-1.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(d) storing the received data regarding telephone events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 4, ll. 35-52.  D4, col. 4 ln. 66 – col. 5 ln. 13.  D5: D7, pp. 4-12; D9, pp. 2-1,	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
	2-12 - 2-25.  D10: D10; D11: pp. 2-7 - 2-12; D12: pp. 1-1, 2-1.  D11: pp. 2-7 - 2-12.  D12: pp. 1-1, 2-1.	
(e) identifying telephone call segments that relate to the same telephone call; and	D1, col. 2, ll. 22-34; col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 38-47; col. 11, ll. 34-47; col. 13, ln. 41 – col. 14, ln. 59; col. 15, ll. 27-60.  D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.  D4, col. 5 ll. 14-33.  D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 – 2-25.  D10: D10; D11: pp 2-7 – 2-12; D12: pp. 1-1, 2-1.  D11: pp. 2-7 – 2-12.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.

345 Claim	Prior Art Reference(s)	Invalidity Bases
(f) constructing data	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
representations of lifetimes of	62 – col. 4 ln. 17; col. 7, Il. 27-	one of ordinary skill in the art to
telephone calls, wherein said	62; col. 11, 1l. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
data representations are	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
constructed using data regarding	27-60.	this combination is provided in
telephony events associated with		Claim 1, above.
telephone call segments.	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, 11. 9-58; col. 9, In. 60 –	
	col. 11, In. 34.	
	D4, col. 5 Il. 14-33.	
	D5: D7, pp. 5, 10-12; D9, pp. 2-	
	1, 2-12 – 2-25.	
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
15. The method of claim 14	D1, col. 3, ln. 62 – col. 4 ln. 17;	This claim is invalid under 35
wherein each data representation	col. 7, II. 27-62; col. 13 II. 19-25;	U.S.C. §102(b) as anticipated by
of a telephone call comprises: (i)	col. 15, Il. 27-60.	D3.
a list of participants in the		
telephone call; (ii) a list of	D2, col. 5, ll. 6-32; col. 22, ll.	This claim is invalid under 35
telephony events regarding the	18-21; col. 22, II. 52-56; col. 25,	U.S.C. §102(e) as anticipated by D4.
call; (iii) a list containing the time each telephony event	II. 18-29.	D4.
occurred; and (iv) the start and	D3, col. 5, ln. 30 – col. 6, ln. 6;	This claim is invalid under 35
end time of the call.	col. 9, II. 9-58; col. 9, In. 60 –	U.S.C. §103 as obvious in view
	col. 11, In. 34.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D4, col. 5 ll. 14-33.	
		This claim is invalid under 35
	D5: D7, pp. 5-7, 10-12.	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	D10: D10; D11: pg. 2-9; D12:	may at at a at
	pp. 1-1, 2-1.	The motivation for these combination can be found in
	D11: pg. 2-9.	Claim 1, above.
	D11. pg. 2-9.	Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
21. The method of claim 14	D2, col. 4 ln. 59 – col. 5 ln. 5.	This claim is invalid under 35
wherein data regarding		U.S.C. §102(b) as anticipated by
telephony events is received	D3, Fig. 1.	D3.
from a plurality of sources	DA Eira 4	This slaim is in alid under 25
connected to a telephone switching environment.	D4, Fig. 6.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
switching chyllomicht.	D5: D7, pg. 5.	D4.
	27. 27, FB	
	D10: D10; D11: pg. 2-9; D12:	This claim is invalid under 35
	pp. 1-1, 2-1.	U.S.C. §103 as obvious in view
	21. 21.	of D1 and/or D2 in combination
	D11: D11: pg. 2-9	with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in Claim 1, above.
		Craim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
22. The method of claim 14	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., In. 60 - col. 11, In.	
graphical representation of the	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
23. The method of claim 15	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using said data representation of	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
a telephone call to display a	14; col. 9., ln. 60 – col. 11, ln.	
graphical representation of the	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		, abo ( ).
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
24. The method of claim 23	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment	14; col. 9., In. 60 - col. 11, In.	
of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		more than the transition of the sect
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This alaim is invalid under 25
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
25. The method of claim 23	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., In. 60 – col. 11, In.	
time of each segment of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		55.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
26. The method of claim 22	D1, col. 15, 11. 27-60.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the data		
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
	14; col. 9., In. 60 – col. 11, In.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination
	D5: D11: == 2.0	with D3 and/or D4.
	D5: D11: pg. 2-9	This claim is invalid under 35
	D10: D10; D11: pg. 2-9.	U.S.C. §103 as obvious in view
	Dio. Dio, Dii. pg. 2-9.	of D3 in combination with D4.
	D11: pg. 2-9	or both combination what but
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D10.
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
40. A method for recording		This claim is invalid under 35
information regarding telephone calls comprising one or more		U.S.C. §102(b) as anticipated by D3.
telephone call segments, wherein		153.
said calls comprise calls wherein		This claim is invalid under 35
at least one participant		U.S.C. §102(e) as anticipated by
participates in a plurality of segments, comprising:		D4.
segments, comprising.		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
·		D3.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		Whis stains to to cold under 25
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by
		D12.

345 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data	D3, col. 2, Il. 1-15; col. 3, Il. 58-	
regarding one or more telephone	62; col. 4., il. 53-63.	
call segments	D4, col. 3, Il. 30-54; col. 4, Il. 16-66.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
and data regarding telephone events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for
	D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	this combination is provided in Claim 1, above.
	D3, col. 4, Il. 35-52.	
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
(b) storing the received audio data regarding telephone call segments;	D3, col. 2, Il. 1-15; col. 3, Il. 58-62; col. 4., Il. 53-63.	
segments,	D4, col. 3, ll. 30-54; col. 4, ll. 16-66.	
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(c) storing the received data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60. D2, col. 5, ll. 6-32; col. 22, ll.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in
	18-21; col. 22, li. 52-56; col. 25, li. 18-29.	Claim 1, above.
	D3, col. 4, ll. 35-52.  D4, col. 4 ln. 66 – col. 5 ln. 13.	
	D5: D7, pp. 4-12; D9, pp. 2-1,	
	2-12 - 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
(d) identifying telephone call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to one telephone call;	62 - col. 4 ln. 17; col. 7, Il. 38- 47; col. 11, Il. 34-47; col. 13, ln.	one of ordinary skill in the art to combine D1 and/or D2 with D3
leiephone can,	41 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in Claim 1, above.
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	
	D4, col. 5 II. 14-33.	
İ	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 - 2-25.	
	D10: D10; D11: pp 2-7 – 2- 12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(e) identifying multiple call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that have the same	62 – col. 4 ln. 17; col. 7, II. 38-	one of ordinary skill in the art to
participant; and	47; col. 11, II. 34-47; col. 13, In.	combine D1 and/or D2 with D3
	41 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 –	It would have been obvious to
	col. 11, ln. 34.	one of ordinary skill in the art to combine D3 and D4. The
	D4, col. 5 Il. 14-33.	motivation for this combination
	D5: D7 nn 5 10 12: D0 nn 2	is provided in Claim 1, above.
	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 - 2-25.	
	1, 2-12 — 2-2J.	
	D10: D10; D11: pp 2-7 - 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
(f) constructing data	D1, col. 2, 1l. 22-34; col. 3, ln.	It would have been obvious to
representations of lifetimes of	62 – col. 4 ln. 17; col. 7, 11. 27-	one of ordinary skill in the art to
telephone calls, wherein each	62; col. 11, II. 34-47; col. 13, In.	combine D1 and/or D2 with D3
data representation of a	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
telephone call is constructed using data regarding telephony	27-60.	this combination is provided in Claim 1, above.
events associated with the	D3, col. 5, ln. 30 – col. 6, ln. 6;	Claim 1, above.
telephone call segments of the	col. 9, 11. 9-58; col. 9, In. 60 –	
telephone call.	col. 11, In. 34.	
	D4, col. 5 ll. 14-33.	•
	D5: D7, pp. 5, 10-12; D9, pp. 2-	
	1, 2-12 – 2-25.	
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
41. The method of claim 40	D1, col. 2, ll. 22-34; col. 3, ln.	This claim is invalid under 35
wherein a data representation of	62 – col. 4 ln. 17; col. 7, II. 27-	U.S.C. §102(b) as anticipated by
a telephone call comprises: (i) a	62; col. 11, 11. 34-47; col. 13, In.	D3.
list of participants in the	19 – col. 14, ln. 59; col. 15, ll.	
telephone call; (ii) a list of	27-60.	This claim is invalid under 35
telephony events regarding the		U.S.C. §102(e) as anticipated by
call; (iii) a list containing the	D2, col. 5, 11. 6-32; col. 22, 11.	D4.
time each telephony event	18-21; col. 22, II. 52-56; col. 25,	
occurred; and (iv) the start and	11. 18-29.	This claim is invalid under 35
end time of the call.		U.S.C. §103 as obvious in view
	D3, col. 5, ln. 30 – col. 6, ln. 6;	of D1 and/or D2 in combination
	col. 9, II. 9-58; col. 9, In. 60 –	with D3 and/or D4.
	col. 11, ln. 34.	
		This claim is invalid under 35
	D4, col. 5 ll. 14-33.	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	D5: D7, pp. 5-7, 10-12.	
		The motivation for these
	D10: D10; D11: pg. 2-9; D12:	combination can be found in
	pp. 1-1, 2-1.	Claim 1, above.
	D11: pg. 2-9.	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		mile states to the situation of an A.S.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This stains is inserted and a 25
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D11.
		DII.

345 Claim	Prior Art Reference(s)	Invalidity Bases
42. The method of claim 40	D3, col. 4, Il. 35-52; col. 5, In.	This claim is invalid under 35
wherein a data representation of	30 – col. 6, In. 6; col. 9, Il. 9-58;	U.S.C. §102(b) as anticipated by
a telephone call comprises, for	col. 9, ln. 60 – col. 11, ln. 34.	D3.
each segment of the call, the		
location of the stored audio data	D4, col. 5 II. 14-33.	This claim is invalid under 35
of that segment.		U.S.C. §102(e) as anticipated by
	D5: D7, pp. 5, 10-12; D9, pp. 2-	D4.
	1, 2-12 – 2-25.	
		This claim is invalid under 35
	D10: D10; D11: pp. 1-1, 2-7-	U.S.C. §103 as obvious in view
	2-12	of D1 and/or D2 in combination
	D	with D3 and/or D4.
	D11: pp. 1-1, 2-7 – 2-12	mich at the test and a sample
		This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
		of D3 in combination with D4.
		The motivation for these
·		combination can be found in
		Claim 1, above.
		Camin 1, abo to.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
43. The method of claim 40	D3, Fig. 1.	This claim is invalid under 35
wherein the received audio data		U.S.C. §102(b) as anticipated by
and the data regarding telephony	D4, Fig. 1.	D3.
events is stored in the same		
memory.	D5: D7, pp. 5, 10-12; D9, pp. 2-	This claim is invalid under 35
	1, 2-12 – 2-25.	U.S.C. §102(e) as anticipated by D4.
	D10: D10; D11: pp. 1-1, 2-7 -	
	2-12	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D11: pp. 1-1, 2-7 – 2-12.	of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in Claim 1, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
45. The method of claim 42	D3, col. 2, II. 1-15; col. 3, II. 58-	This claim is invalid under 35
wherein a location of stored	62; col. 4., Il. 53-63.	U.S.C. §102(b) as anticipated by
audio data of each segment		D3.
comprises the location of a	D4, col. 4, ln. 16 - col. 5 ln. 33.	
.WAV file containing the audio		This claim is invalid under 35
data.	D5: D11: pg. 1-1.	U.S.C. §102(e) as anticipated by
	D10 D10 D11	D4.
	D10: D10; D11: pg. 1-1.	This alsimate invested and or 25
	D11: pg. 1-1.	This claim is invalid under 35 U.S.C. §103 as obvious in view
	D11. pg. 1-1.	of D1 and/or D2 in combination
		with D3 and/or D4.
		//
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		55.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
46. The method of claim 45	D2 and 2 If 1 15; and 2 If 50	D11.
wherein a data representation of	D3, col. 2, Il. 1-15; col. 3, Il. 58-62; col. 4., Il. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
a telephone call further	02, col. 4., ii. 55-65.	D3.
comprises an offset within the	D4, col. 4, ln. 16 - col. 5 ln. 33.	D3.
.WAV file to the start of the	, , , , , , , , , , , , , , , , , , ,	This claim is invalid under 35
stored audio data.		U.S.C. §102(e) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
, i		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. \$103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.

345 Claim	Prior Art Reference(s)	Invalidity Bases
47. The method of claim 40	D2, col. 4 ln. 59 – col. 5 ln. 5.	This claim is invalid under 35
wherein data regarding		U.S.C. §102(b) as anticipated by
telephony events is received	D3, Fig. 1.	D3.
from a plurality of sources	DA Ele 4	This claim is invalid under 35
connected to a telephone switching environment.	D4, Fig. 6.	U.S.C. §102(e) as anticipated by
switching environment.	D5: D7, pg. 5.	D4.
	D10: D10; D11: pg. 2-9; D12:	This claim is invalid under 35
	pp. 1-1, 2-1.	U.S.C. §103 as obvious in view of D1 and/or D2 in combination
	D11: pg. 2-9	with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these
		combination can be found in Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
48. The method of claim 40	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., In. 60 – col. 11, In.	
graphical representation of said	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		20.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
49. The method of claim 41	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., In. 60 – col. 11, In.	
graphical representation of said	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
	1	Claim 1, above.
		F7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		myste efeturite to estal condem A.E.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		Miles at alms to the collection of a 25
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

Prior Art Reference(s)	Invalidity Bases
D2, Figs. 13-18.	This claim is invalid under 35
	U.S.C. §102(b) as anticipated by
D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
14; col. 9., ln. 60 – col. 11, ln.	
22.	This claim is invalid under 35
	U.S.C. §103 as obvious in view
D5: D11: pg. 2-9.	of D1 and/or D2 in combination
	with D3 and/or D4.
D10: D10; D11: pg. 2-9.	
	This claim is invalid under 35
D11: pg. 2-9.	U.S.C. §103 as obvious in view
	of D3 in combination with D4.
	The motivation for these
	combination can be found in
	Claim 1, above.
	This claim is invalid under 35
	U.S.C. §102(b) as anticipated by D5.
	D3.
	This claim is invalid under 35
	U.S.C. §102(a) as anticipated by
	D10.
	This claim is invalid under 35
	U.S.C. §102(b) as anticipated by
	D11.
	D2, Figs. 13-18.  D3, Figs. 9A, 9B, 10, 11, 12, 13, 14; col. 9., ln. 60 – col. 11, ln. 22.

345 Claim	Prior Art Reference(s)	Invalidity Bases
51. The method of claim 49	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., ln. 60 - col. 11, ln.	
time of each segment of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.\$.C. §102(b) as anticipated by D5.
		D3.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		1510.
		This claim is invalid under 35
		I
		U.S.C. §102(b) as anticipated by D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
52. The method of claim 48	D1, col. 15, 11. 27-60.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the data		
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
	14; col. 9., In. 60 – col. 11, In.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D5: D11: pg. 2-9.	
	D.O. D.O. D.I.	This claim is invalid under 35
	D10: D10; D11: pg. 2-9.	U.S.C. §103 as obvious in view
	D11, == 0.0	of D3 in combination with D4.
	D11: pg. 2-9.	The motivation for these
		combination can be found in
		Claim 1, above.
		Craim 1, and to.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.

370 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079,	
	priority date of Aug. 10, 1990,	
	and issue date of Sep. 10, 1991.	
	(WSNSDE0003251-72) D1	
	discloses a method and apparatus	
	for matching call records with	
	corresponding PBX data using a	
	probability factor.	
	D2: U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
·	issue date of Dec. 14, 1999.	
	(WSNSDE0005882-925) D2 discloses an apparatus and	
	method for exchanging	
	telephone call information	
	between two computers.	
	D3: U.S. Patent No. 5,559,875,	
	priority date of Jul. 31, 1995,	•
	and issue date of Sep. 24, 1996.	
	(WSNSDE0004992-5027) D3	
	discloses a method and apparatus	
	for recording and playback of	
	audio conferences.	
	D4: 11 C Botant No. 5 002 957	
	D4: U.S. Patent No. 5,982, 857, priority date of Oct. 17, 1994,	
	and issue date of Nov. 9, 1999.	
	(WSNSDE0005823-37) D4	
	discloses a system and method	
	for recording and playback of	
	telephone calls.	
	D5: Blue Cross Blue Shield	
	Eclipse Integration, sold or	
	offered for sale in the U.S.	
	before June 8, 1999.	
	D6: Blue Cross Blue Shield	
	User Guide dated January 29,	
	1997 (illustrating system of D5)	
	(WSNSDE0012983-92)	
	(,110,111,111,111,111,111,111,111,111,	
	D7: Application Development	
	Guide - Blue Cross / Blue Shield	
	Belipse Project Eclipse	
	Modification and Design dated	
	November 25, 1997 (illustrating	
	system of D5)	
	(W\$N\$DE0012967-82).	

370 Claim	Prior Art Reference(s)	Invalidity Bases
	D8: "Tracking Agent Id through	
	Inter-Site Call Transfers"	
	(illustrating the system of D5)	
	(W\$N\$DE0012993-4).	<u>.</u>
	D9: "E1000 for Windows User	
	Guide" dated July 1997	
	(illustrating the system of the	
	D5) (WSNSDE0011276-346).	
	D3) (W3N3DB0011270-340).	
	D10: Equiserve Recording	
	Proposal presented in the U.S.	
	on May 5, 1999, which before	
	June 8, 1999.	
	(WSNSDE013106)	
	D11: "E-Ware Replay-User	
	Guide" dated November 1998	
	(illustrating the system of D5	
	and D10) (W\$N\$DE011798-	
	844).	
	D12: "Unify System Managers	
	Guide" dated August 1996	
	(illustrating the system of D10)	
	(WANSDE012044-70).	

370 Claim	Prior Art Reference(s)	Invalidity Bases
1. A method for constructing and		This claim is invalid under 35 U.S.C.
maintaining data representations		§102(b) as anticipated by D3.
of lifetimes of telephone calls		
comprising one or more		This claim is invalid under 35 U.S.C.
segments, audio data for each		§ 102(e) as anticipated by D4.
segment being recorded on one		
or more recorders, the method		This claim is invalid under 35 U.S.C.
comprising:		§103 as obvious in view of D1 and/or
		D2 in combination with D3 and/or
		D4.
		This claim is invalid under 35 U.S.C.
		§103 as obvious in view of D3 in
		combination with D4.
		D1 and D0 seach storing regulars
		D1 and D2 teach storing various types of telephony data. D3 and D4
		teach storing audio segments with
		associated data. One of skill in the
		art would recognize the types of data
		disclosed in D1 and/or D2 could be
		stored in the data storage systems
		disclosed in D3 and/or D4. The
		motivation for this combination can
		be found in the references
		themselves, which teach the
		desirability of maintaining data
		associated with audio segments.
		Furthermore, one of skill in the art
		would recognize that the similarities
		in the teachings of D1 and D2, as
		well as the similarities in the
		teachings of D3 and D4, allow for the
		combination of D1 and D2, as well as
		the combination of D3 and D4. The motivation for these combinations
		would be to provide interoperability
		between the similar systems
		disclosed in these references.
		STORIGHT IN PRODUCTION OF THE PROPERTY OF THE
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D12.

370 Claim	Prior Art Reference(s)	Invalidity Bases
(a) constructing a call record for at least one telephone call;	D1, col. 2, Il. 22-34; col. 3, In. 62 col. 4 ln. 17; col. 7, Il. 27-62; col. 11, Il. 34-47; col. 13, In. 19 col. 14, In. 59; col. 15, Il. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided above.
	D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	
	D3, col. 5, ln. 30 col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 col. 11, ln. 34.	
	D4, col. 5 ll. 14-33.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
(b) receiving data regarding telephony events associated with one or more telephone calls;	D1, col. 2, Il. 22-34; col. 3, In. 62 col. 4 ln. 17; col. 7, Il. 27-62; col. 11, Il. 34-47; col. 13, In. 19 col. 14, ln. 59; col. 15, Il. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided above.
	D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	
	D3, col. 4, II. 35-52.	
	D4, col. 4 ln. 66 col. 5 ln. 13.	
	D5: D7, pp. 4-7; D9, pp. 2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 2-1.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(c) matching a received	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to one of
telephony event with a	62 – col. 4 ln. 17; col. 7, II. 27-	ordinary skill in the art to combine
constructed call record;	62; col. 11, ll. 34-47; col. 13, ln.	D1 and/or D2 with D3 and/or D4.
	19 – col. 14, ln. 59; col. 15, ll. 27-60.	The motivation for this combination is provided above.
	27-GV.	is provided above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
	18-21; col. 22, Il. 52-56; col. 25,	
	11. 18-29.	
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 11. 14-33.	
	D5: D7, pp. 4-7, 10-12; D9, pp.	
·	2-1, 2-12-2-25.	
	D10: D10: D11: mm 0 7 0 10:	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.	-
	D12. pp. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 – 2-1.	
	·	
(d) updating the matching call	D1, col. 2, 1l. 22-34; col. 3, ln.	It would have been obvious to one of
record based on the received	62 - col. 4 ln. 17; col. 7, Il. 27-	ordinary skill in the art to combine
telephony event data; and	62; col. 11, 11. 34-47; col. 13, In.	D1 and/or D2 with D3 and/or D4.
·	19 – col. 14, ln. 59; col. 15, ll.	The motivation for this combination
	27-60.	is provided above.
	D2, col. 5, 11. 6-32; col. 22, 11.	
	18-21; col. 22, II. 52-56; col. 25,	
	П. 18-29.	
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, 11. 9-58.	
	D4, col. 5 11. 14-33.	
		·
	D5: D7, pp. 4-7, 10-12; D9, pp.	
	2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12;	
	D10: D10; D11: pp. 2-7-2-12; D12: pp. 1-1 – 2-1.	
		·
	D11: pp. 2-7- 2-12.	
	B10 11 0.	
	D12: pp. 1-1 – 2-1.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(e) combining the updated call record with data indicating the location of recorded audio data for the segment of the call, to obtain a master call record representing the lifetime of the telephone call.	D3, col. 4, II. 35-52; col. 5, In. 30 – col. 6, In. 6; col. 9, II. 9-58; col. 9, In. 60 – col. 11, In. 34.  D4, col. 5 II. 14-33.  D5: D7, pp. 4-7, 10-12; D9, pp. 2-1, 2-12-2-25.  D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.  D11: pp. 2-7- 2-12.  D12: pp. 1-1 – 2-1.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided above.
5. The method of claim 1 wherein the master call record comprises a serial number that identifies the telephone call.	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.  D5: D11, pg. 2-11.  D10: D10; D11, pg. 2-11.  D11: pg. 2-11.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 1, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.

370 Claim	Prior Art Reference(s)	Invalidity Bases
6. The method of claim 1	D1, col. 3, ln. 62 - col. 4 ln. 17;	This claim is invalid under 35 U.S.C.
wherein the call record is	col. 7, Il. 27-62; col. 13 Il. 19-25;	§102(b) as anticipated by D3.
updated with data fields	col. 15, II. 27-60.	
describing each participant of		This claim is invalid under 35 U.S.C.
the telephone call.	D2, col. 5, Il. 6-32; col. 22, Il.	§ 102(e) as anticipated by D4.
	18-21; col. 22, Il. 52-56; col. 25,	
	И. 18-29.	This claim is invalid under 35 U.S.C.
		§103 as obvious in view of D1 and/or
	D3, col. 1, ln. 52 – col. 2, ln. 15;	D2 in combination with D3 and/or
	col. 5, II. 4-14; col. 5, In. 57 –	D4.
	col. 6, ln. 6.	
		This claim is invalid under 35 U.S.C.
	D4, col. 5 II. 14-33.	§103 as obvious in view of D3 in
	·	combination with D4.
	D5: D7, pp. 5-7, 10-12.	
		The motivation for these combination
	D10: D10; D11: pg. 2-9; D12:	can be found in Claim 1, above.
	pp. 1-1, 2-1.	·
	FF ",	This claim is invalid under 35 U.S.C.
	D11: pg. 2-9.	§102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.
8. The method of claim 1 further	D3, col. 5, ln. 30 – col. 11, ln.	This claim is invalid under 35 U.S.C.
comprising the step of	22.	§102(b) as anticipated by D3.
assembling and playing back		
segments of telephone calls	D4, col. 5 ll. 14-33.	This claim is invalid under 35 U.S.C.
using the recorder locations		§ 102(e) as anticipated by D4.
described in the master call	D5: D11, pg. 2-11.	
record for each telephone call.	1	This claim is invalid under 35 U.S.C.
	D10: D10; D11, pg. 2-11.	§103 as obvious in view of D1 and/or
		D2 in combination with D3 and/or
	D11: pg. 2-11.	D4.
		This claim is invalid under 35 U.S.C.
		§103 as obvious in view of D3 in
		combination with D4.
		The motivation for these combination
		can be found in Claim 1, above.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.

370 Claim	Prior Art Reference(s)	Invalidity Bases
9. The method of claim 1 further	D2, Figs. 13-18.	This claim is invalid under 35 U.S.C.
comprising the step of using the		§102(b) as anticipated by D3.
master call record to display a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	
graphical representation of said	14; col. 9., In. 60 – col. 11, In.	This claim is invalid under 35 U.S.C.
telephone call.	22.	§103 as obvious in view of D1 and/or
	D5: D11: pg. 2-9.	D2 in combination with D3 and/or D4.
	DJ. D11. pg. 2-9.	D4.
	D10: D10; D11: pg. 2-9.	This claim is invalid under 35 U.S.C.
		§103 as obvious in view of D3 in
·	D11: pg. 2-9	combination with D4.
		The motivation for these combination
		can be found in Claim 1, above.
		Trials also is in a list and a Of IT C.C.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
·		g102(b) as annerpated by D5.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.
11. The method of claim 9	D2, Figs. 13-18.	This claim is invalid under 35 U.S.C.
wherein the graphical		§102(b) as anticipated by D3.
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	The date to the second of the Control of
representation of each segment of the telephone call.	14; col. 9., ln. 60 – col. 11, ln. 22.	This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or
of the telephone can.	22.	D2 in combination with D3 and/or
	D5: D11: pg. 2-9	D4.
	D10: D10; D11: pg. 2-9.	This claim is invalid under 35 U.S.C.
		§103 as obvious in view of D3 in
	D11: pg. 2-9	combination with D4.
		The motivation for these combination
		can be found in Claim 1, above.
		This claim is invalid under 35 U.S.C.
		\$102(b) as anticipated by D5.
		0-1-(5) as mine-passe by 20.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
	<u> </u>	§102(b) as anticipated by D11.

370 Claim	Prior Art Reference(s)	Invalidity Bases
12. The method of claim 9	D1, col. 15, Il. 27-60.	This claim is invalid under 35 U.S.C.
further comprising the step of		§102(b) as anticipated by D3.
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	
data from the master call record.		This claim is invalid under 35 U.S.C.
	D3, Figs. 9A, 9B, 10, 11, 12, 13,	§103 as obvious in view of D1 and/or
	14; col. 9., ln. 60 – col. 11, ln.	D2 in combination with D3 and/or
	22.	D4.
	D5: D11: pg. 2-9	This claim is invalid under 35 U.S.C.
	20. 21. Pg 7	§103 as obvious in view of D3 in
	D10: D10; D11: pg. 2-9.	combination with D4.
	, 10	
	D11: pg. 2-9	The motivation for these combination
		can be found in Claim 1, above.
		This also is in a standard of IT C C
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		\$102(b) as anticipated by D3.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.
27. A method for constructing		This claim is invalid under 35 U.S.C.
and maintaining data		§102(b) as anticipated by D3.
representations of lifetimes of		This claim is invalid under 35 U.S.C.
telephone calls comprising two or more segments, audio data for		\$103 as obvious in view of D1 and/or
each segment being recorded on		D2 in combination with D3 and/or
one or more recorders, the		D4.
method comprising the steps of:		
		This claim is invalid under 35 U.S.C.
		§103 as obvious in view of D3 in
		combination with D4.
		The most of the fact from a matrix at the
		The motivation for these combination can be found in Claim 1, above.
		Can be found in Claim 1, above.
		This claim is invalid under 35 U.S.C.
!		§102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C.
		§102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.
		\$102(D) as annerpated by D11.
		This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D12.

370 Claim	Prior Art Reference(s)	Invalidity Bases
(a) constructing a call record for a telephone call comprising two or more segments;	D1, col. 2, Il. 22-34; col. 3, In. 62 – col. 4 In. 17; col. 7, Il. 27-62; col. 11, Il. 34-47; col. 13, In. 19 – col. 14, In. 59; col. 15, Il. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
	D2, col. 5, li. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 5, ln. 30 – col. 6, ln. 6;	It would have been obvious to one of ordinary skill in the art to combine D3 and D4. The motivation for this combination is provided in Claim 1, above.
	col. 9, II. 9-58; col. 9, In. 60 – col. 11, In. 34.	авоче.
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
(b) receiving data regarding one or more telephony events associated with the telephone call;	D1, col. 2, ll. 22-34; col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 11, ll. 34-47; col. 13, ln. 19 – col. 14, ln. 59; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
	D2, col. 5, II. 6-32; col. 22, II. 18-21; col. 22, II. 52-56; col. 25, II. 18-29.	
	D3, col. 4, II. 35-52.	
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
	D5: D7, pp. 4-7; D9, pp. 2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12; pp. 1-1 – 2-1.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(c) matching said one or more	D1, col. 2, 11. 22-34; col. 3, ln.	It would have been obvious to one of
received telephony events with	62 – col. 4 ln. 17; col. 7, Il. 27-	ordinary skill in the art to combine
said call record;	62; col. 11, 11. 34-47; col. 13, In.	D1 and/or D2 with D3 and/or D4.
	19 – col. 14, ln. 59; col. 15, ll.	The motivation for this combination
	27-60.	is provided in Claim 1, above.
	D2, col. 5, II. 6-32; col. 22, II.	
	18-21; col. 22, II. 52-56; col. 25, II. 18-29.	
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	
	D4, col. 5 Il. 14-33.	
	D5: D7, pp. 4-7, 10-12; D9, pp. 2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 - 2-1.	
(d) updating said call record	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to one of
based on said received telephony	62 – col. 4 ln. 17; col. 7, Il. 27-	ordinary skill in the art to combine
event data; and	62; col. 11, ll. 34-47; col. 13, ln.	D1 and/or D2 with D3 and/or D4.
	19 – col. 14, ln. 59; col. 15, ll.	The motivation for this combination
	27-60.	is provided in Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
	18-21; col. 22, Il. 52-56; col. 25,	
	П. 18-29.	
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	
	D4, col. 5 II. 14-33.	
	D5: D7, pp. 4-7, 10-12; D9, pp. 2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 - 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 – 2-1.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(e) combining said updated call	D3, col. 4, 1l. 35-52; col. 5, 1n.	It would have been obvious to one of
record with data indicating one	30 – col. 6, In. 6; col. 9, 11. 9-58;	ordinary skill in the art to combine
or more locations of recorded	col. 9, ln. 60 – col. 11, ln. 34.	D1 and/or D2 with D3 and/or D4.
audio data for two or more		The motivation for this combination
segments of the call, to obtain a	D5: D7, pp. 4-7, 10-12; D9, pp.	is provided in Claim 1, above.
master call record representing	2-1, 2-12-2-25.	
the lifetime of said telephone		It would have been obvious to one of
call.	D10: D10; D11: pp. 2-7- 2-12;	ordinary skill in the art to combine
	D12: pp. 1-1 – 2-1.	D3 and D4. The motivation for this combination is provided in Claim 1,
	D11: pp. 2-7- 2-12.	above.
	D12: pp. 1-1 – 2-1.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079,	
	priority date of Aug. 10, 1990,	
	and issue date of Sep. 10, 1991.	
	(WSNSDE0003251-72) D1	
	discloses a method and apparatus	
	for matching call records with	
	corresponding PBX data using a	
	probability factor.	
	D2: U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
	issue date of Dec. 14, 1999.	
	(WSNSDE0005882-925) D2	
	discloses an apparatus and	
	method for exchanging	
	telephone call information	
	between two computers.	
	D3: U.S. Patent No. 5,559,875,	
	priority date of Jul. 31, 1995,	
	and issue date of Sep. 24,	
	1996.(WSNSDE0004992-5027)	
	D3 discloses a method and	
	apparatus for recording and	
	playback of audio conferences.	
	D4: U.S. Patent No. 5,982, 857,	
	priority date of Oct. 17, 1994,	
	and issue date of Nov. 9, 1999.	
	(WSNSDE0005823-37) D4	
	discloses a system and method	
	for recording and playback of telephone calls.	
	terephone cans.	
	D5: Blue Cross Blue Shield	
	Belipse Integration, sold or	
	offered for sale in the U.S.	
	before June 8, 1999.	
	D6: Blue Cross Blue Shield	
	User Guide dated January 29,	
	1997 (illustrating system of D5)	
	(WSNSDE0012983-92)	
	D7: Application Development	
	Guide - Blue Cross / Blue Shield Eclipse Project Eclipse	-
	Modification and Design dated	
	November 25, 1997 (illustrating	
	system of D5)	
	(WSNSDE0012967-82).	

570 Claim	Prior Art Reference(s)	Invalidity Bases
	D8: "Tracking Agent Id through Inter-Site Call Transfers"	
	(illustrating the system of D5)	
	(WSNSDE0012993-4).	
	(W\$N3DE0012993-4).	
	D9: "E1000 for Windows User	
	Guide" dated July 1997	
	(illustrating the system of the	
	D5) (WSNSDE0011276-346).	
	D10: Equiserye Recording	
	Proposal presented in the U.S.	
	on May 5, 1999, which before	
	June 8, 1999.	
	(WSNSDE013106)	
	(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•
	D11: "E-Ware Replay-User	
	Guide" dated November 1998	
	(illustrating the system of D5	
	and D10) (WSNSDE011798-	
	844).	
	D12: "Unify System Managers	
	Guide" dated August 1996	
	(illustrating the system of D10)	
	(WANSDE012044-70).	

570 Claim	Prior Art Reference(s)	Invalidity Bases
6. A method for recording information regarding telephone calls comprising one or more		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
segments, comprising:		This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 1, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.

(a) receiving audio data regarding one or more telephone call segments relating to one or more telephone calls,  D3, col. 2, ll. 1-15; col. 3, ll. 58- 62; col. 4., ll. 35-63.  D4, col. 3, ll. 30-54; col. 4, ll. 16-66; col. 4 ln. 66 col. 5 ln. 13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.  D11: pp. 1-1, 2-1.	
call segments relating to one or more telephone calls,  D4, col. 3, II. 30-54; col. 4, II. 16-66; col. 4 ln. 66 col. 5 ln. 13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.  D11: pp. 1-1, 2-1.	
more telephone calls,  D4, col. 3, ll. 30-54; col. 4, ll.  16-66; col. 4 ln. 66 col. 5 ln.  13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1;  D12: pp. 1-1, 2-1.  D12: pp. 1-1, 2-1.	
16-66; col. 4 in. 66 col. 5 in. 13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.  D12: pp. 1-1, 2-1.	
13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.  D11: pp. 1-1, 2-1.	
D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1. D11: pp. 1-1, 2-1.	
D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1. D11: pp. 1-1, 2-1.	
D12: pp. 1-1, 2-1.  D11: pp. 1-1, 2-1.  D12: pp. 1-1, 2-1.	
D11: pp. 1-1, 2-1. D12: pp. 1-1, 2-1.	
D12: pp. 1-1, 2-1.	
and data reconding telembons. D1 and 2 to 60 and 4 to 17. Terror 14 to 15.	
and data regarding telephony D1, col. 3, ln. 62 col. 4 ln. 17; It would have been obvio	
events associated with said col. 7, Il. 27-62; col. 13 Il. 19-25; one of ordinary skill in the	
telephone call segments; col. 15, II. 27-60. combine D1 and/or D2 w	
D2, col. 5, ll. 6-32; col. 22, ll. this combination is provide	
18-21; col. 22, II. 52-56; col. 25, Claim 1, above.	
II. 18-29.	
D3, col. 4, 11. 35-52.	
D4, col. 4 ln. 66 col. 5 ln. 13.	
D5: D7, pp. 4-7; D9, pg. 2-1	
D10: D10; D11: pp. 1-1, 2-1;	
D12: pp. 1-1, 2-1.	
D11: pp. 1-1, 2-1.	
D12: pp. 1-1, 2-1.	ĺ
(b) storing the received audio D3, col. 2, II. 1-15; col. 3, II. 58-	
data regarding telephone call 62; col. 4., Il. 53-63.	
segments;   D4, col. 3, II. 30-54; col. 4, II.	
16-66.	
D5: D7, pp. 4-12; D9, pp. 2-1,	
2-12 2-25.	
D10: D10; D11: pp. 2-7 2-12; D12: pp. 1-1, 2-I.	
D11: pp. 2-7 2-12.	
D12: pp. 1-1, 2-I.	ı

570 Claim	Prior Art Reference(s)	Invalidity Bases
(c) storing the received data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 4, ll. 35-52.  D4, col. 4 ln. 66 – col. 5 ln. 13.  D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 – 2-25.  D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.  D11: pp. 2-7 – 2-12.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
(d) identifying telephone call segments that relate to one telephone call; and	D12: pp. 1-1, 2-1.  D1, col. 2, Il. 22-34; col. 3, In. 62 – col. 4 In. 17; col. 7, Il. 38-47; col. 11, Il. 34-47; col. 13, In. 41 – col. 14, In. 59; col. 15, Il. 27-60.  D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.  D3, col. 5, In. 30 – col. 6, In. 6; col. 9, Il. 9-58.  D4, col. 5 Il. 14-33.  D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 – 2-25.  D10: D10; D11: pp 2-7 – 2-12; D12: pp. 1-1, 2-1.  D11: pp. 2-7 – 2-12.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.

570 Claim	Prior Art Reference(s)	Invalidity Bases
(e) constructing a data	D1, col. 2, 11. 22-34; col. 3, ln.	It would have been obvious to
representation of a lifetime of	62 – col. 4 ln. 17; col. 7, II. 38-	one of ordinary skill in the art to
the telephone call using data	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
regarding telephony events	41 – col. 14, ln. 59; col. 15, II.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided in
call segments of the telephone		Claim 1, above.
call, wherein said data	D2, col. 5, Il. 6-32; col. 22, Il.	
representation comprises, for	18-21; col. 22, 11. 52-56; col. 25,	
each segment of the call, the	II. 18-29.	
location of the stored audio data		
of that segment and the start	D3, col. 4, li. 35-52; col. 5, ln.	
time, end time, and duration of	30 – col. 6, In. 6; col. 9, 11. 9-58;	
that segment.	col. 9, ln. 60 – col. 11, ln. 34.	
	D4, col. 5 II. 14-33.	
	D5: D7, pp. 5, 10-12; D9, pp. 2-	•
	1, 2-12 – 2-25.	
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
7. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more		D3.
segments, comprising:		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
	•	of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		55.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
: 		<i>D</i> 10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		<i>D</i> 11.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D12.
(a) receiving audio data	D3, col. 2, Il. 1-15; col. 3, Il. 58-	
regarding one or more telephone	62; cal. 4., Il. 35-63.	
call segments relating to one or	02, 001. 4., 11. 55-05.	
more telephone calls,	D4, col. 3, 11. 30-54; col. 4, 11.	
тые сперионе саца,	16-66.	
	10-00.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	DJ. DJ, PP. 7-7, D7, P8. 2-1	
	D10: D10; D11: pp. 1-1, 2-1;	
	D10: D10, D11: pp. 1-1, 2-1, D12: pp. 1-1, 2-1.	
	ντε. pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D11. pp. 1-1, 2-1.	
	D12: pp. 1-1 2-1	
	D12: pp. 1-1, 2-1.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
and data regarding telephony events associated with said telephone call segments, wherein the data regarding telephony events is received from a plurality of sources connected to a telephone switching environment, wherein at least one of the sources is a real time link and at least one of the sources is not a real time link;	Prior Art Reference(s) D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63, col. 7, ll. 7-53.  D4, col. 4 ln. 66 – col. 5 ln. 13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	Invalidity Bases  It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
(b) storing the received audio data regarding telephone call segments;	D12: pp. 1-1, 2-1.  D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.  D4, col. 3, ll. 30-54; col. 4, ll. 16-66.  D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.  D10: D10; D11: pp. 2-7 - 2-12; D12: pp. 1-1, 2-1.  D11: pp. 2-7 - 2-12.  D12: pp. 1-1, 2-1.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(c) storing the received data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for
	D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	this combination is provided in Claim 1, above.
	D3, col. 4, 11. 35-52.	
	D4, col. 4 ln. 66 – col. 5 ln. 13.	
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
(d) identifying telephone call segments that relate to one telephone call; and	D1, col. 2, Il. 22-34; col. 3, In. 62 – col. 4 In. 17; col. 7, Il. 38-47; col. 11, Il. 34-47; col. 13, In. 41 – col. 14, In. 59; col. 15, Il. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 1, above.
	D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	January 1, 120 ( 6)
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	
	D4, col. 5 ll. 14-33.	
	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 - 2-25.	
	D10: D10; D11: pp 2-7 – 2- 12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(e) constructing a data	D1, col. 2, Il. 22-34; col. 3, ln.	It would have been obvious to
representation of a lifetime of	62 – col. 4 ln. 17; col. 7, II. 27-	one of ordinary skill in the art to
the telephone call using data	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
regarding telephony events	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided in
call segments of the telephone	·	Claim 1, above.
call.	D2, col. 5, ll. 6-32; col. 22, ll.	
	18-21; col. 22, Il. 52-56; col. 25,	
	П. 18-29.	
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, 11. 9-58; col. 9, ln. 60 –	·
	col. 11, In. 34.	
	·	
	D4, col. 5 ll. 14-33.	
		·
	D5: D7, pp. 5, 10-12; D9, pp. 2-	
	1, 2-12 – 2-25.	·
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
·		
	D11: pp 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	D2: Racal s Rapidax Voice	
	Logging Recorders Offers Instant	
	Message Recall of Multichannel Calls, Transmissions. (NSDE008300-	
	008302) (evidencing the hardware of	
	the D1 sale).	
	ale D1 sale).	
	D3: Rapidax Access Voice Logging	
	Recorder. (NSDE008312-008319)	
	(eyidencing the hardware of the D1	
	sale).	
	D4: Rapidax Instant Call Recorder,	
	(NSDE008305-008309) (illustrating	
	the hardware of the D1 sale).	
	D5: Rapidax in Surveillance and	
	Security Monitoring (NSDE008310-	
	008311) (evidencing the hardware of	
	the D1 sale).	
	D6: Operator s Manual.	
	(NSDE008320-008324) (evidencing	
	the hardware of the D1 sale).	
	D7. Custom Monogov a Manual	
	D7: System Manager s Manual. (NSDB008325-008340) (evidencing	
	the hardware of the D1 sale).	
	alo lima wino sa like Ba simo).	
	D8: Rapidax Tape Archive and	
	System Network. (NSDE008303-	
	008304) (evidencing the hardware of	
	the D1 sale).	
	DO. Damasistan of Audinos Tooles of S	
	D9: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems,	
	Ltd., dated June 21, 2002, Civil Action	
	3:00CV1143. (NSDE008273-008299)	
	(evidencing the hardware of the D1	
	sale).	
	D10: Expert Report on the Invalidity	
	of U.S. Patent No. 5,396,371 in	
	Dictaphone CorPage vs. Nice Systems,	
	Ltd., dated June 21, 2002, Civil Action	
	3:00CV1143. (NSDE008447-008468)	
	(evidencing the hardware of the D1	
	sale).	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D11: United States Patent No.	
	4,891,835, to Leung, filed on Aoruk	·
	30, 1986, issued on June 2, 1990.	
	(WSNSDE0003055-80)	
	D12: Sale of Eyretel e1000, sold in the	
	U.S. as of at least October, 1992.	
	0.3. all of al total October, 1332.	
	D13: Deposition of Chris Blair in	
	Dictaphone CorPage vs. Nice Systems,	
	Ltd., dated June 21, 2002, Civil Action	
	3:00CV1143 (illustrating the hardware	
	of D12 sale).	
	D14: European Patent Publication	
	0372894, to Koizumi, published on	
	June 13, 1990, filed on December 5,	
	1989.(WSNSDE0000277-93)	
	D15: U.S. Patent No. 4,905,141, to	
	Brenza, issued February 27, 1990, filed	
	on October 25,	
	1988.(WSNSDB0003096-126)	
	D16: U.S. Patent No. 4,864,543, to	
	Ward, issued September 5, 1989, filed	
	on April 30, 1987.	
	(WSN\$DB0002971-84)	
	D17: "The Disk Drive As An Audio	
	Recorder," Hard Disk Recording	
	Conference, published on Mary 16-17,	
	1990. (LOOSABLLP 002304-15)	
	D10 44 - F 1 1 1	
	D18: "An Experimental Speech	
	Storage and Editing Facility," The Bell System Technical Journal, published in	
	October 1980. (LOOSABLLP	
	002317-002330)	
	11-52, 002000,	
	D19: Mediation Brief, Analysis of	
	Prior Art Which Anticipates or	
	Renders Obvious the Claims of U.S.	
	Patent No. 5,396,371, in Dictaphone	
	Corporation vs. Mercom Systems, Inc.,	
	Civil Action 3:00CV1143 (evidencing	
	hardware of D1). (LOO\$ABLLP 002292-002302)	
	GOLLY L GOLGOLY	
	D20: United States Patent No.	
	4,375,083, to Maxemchuk, issued on	
	February 22, 1983. (LOOSABLLP	

371 Claim	Prior Art Reference(s)	Invalidity Bases
371 Claim	Prior Art Reference(s)  002332-002355)  D21: Japanese Publication No. S62- 20460, to Hirokawa, published on January 29, 1987. (LOOSABLLP 002357-002364)  D22: "Memory Space Allocation of Messages in Voice Mail," IBM Technical Disclosure Bulletin, published in July 1987. (LOOSABLLP 002366-002367)  D23: "A Magnetic Storage Disk Based Digital Audio Recording, Editing and Processing System," presented to the public at the 83rd ABS Corporation on October 16-19, 1987. (002381-002398)  D24: "A Flexible Digital Sound- Editing Program for Minicomputer Systems," presented to the public at the 68th Convention of the Audio Engineering Society in Hamburg, German, Journal of Audio Engineering Society, on March 17-20, 1981. (NSDE008479-86)	Invalidity Bases
	D25: NICE's Markman Brief in Dictaphone Corporation vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDB014561-603) (evidencing hardware of D24)	
1. In a method of storing and retrieving audio from a digital audio logger, the steps	D1: D2, Pages 1-2; D9, Page 8, line 17 Page 9, line 4.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
comprising:	D12: D13, Page 11, lines 7-8. D11: Col. 2, lines 10-14.	This claim is invalid under 35 U.S.C. \$103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D17 and/or D21.
	D17: Page 16, Para. 5.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D17 in combination with D1 and/or D12 and/or D14 and/or D18 and/or D21 and/or D23.
a) monitoring an audio source,	D1: D8, Page 1; D4, Page 4.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D11: Col. 3, lines 42-50.	
	D12: D13, Page 11, lines 7-8.	
	D14: Col. 4, lines 24-30.	
	D17: Page 17, Para. 3, 4.	
b) storing audio data from the audio source in a buffer,	D1: D9, Page 18, lines 10-14; D10, Page 9; D2, Page 2.	
	D11: Figure 6, Col. 10, line 66 – Col. 11, line 54, Col. 9, lines 46-47.	
	D12: D13, Page 11, lines 7-8.	
	D14: Col. 5, lines 16-27.	
	D17: Page 16, Para. 3-4; Page 18, Paragraphs 3, 4; Page 18, Para. 3; Page 20, Figure 1.	
	D21: LOOSABLLP 002357, 002358.	
	D23: Page 9, section 5.3.	
c) writing the audio data from the buffer onto a digital audio tape and a random access storage device, and	D1: D8, Page 1; D3, Page 3; D4, Page 4; D10; D9, Page 46, lines 2-20.  D11: Col. 10, line 66 – Col. 11, line 54, Col. 9, lines 46-47, Col. 2, lines 29-36, Col. 2, lines 38-41.	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 with the system of D11 to store the same type of data in the DRAM and the recorder unit and to obtain a duplicate recording that
	D12: D13, Page 11, lines 18-21.	requires less hardware.
	D14: Col. 3, lines 17-27, Col. 5, lines 35-41.	It would have been obvious to one of ordinary skill in the art to incorporate the buffer of D1 and/or D11 and/or
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	D12 and/or D17 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate
	D17: Page 16, Para. 6; Page 18, Para. 1-4.	that exceeds the modem's capacity to process such data.
	D18: Page 1385, Para. 2, 4; Page, 1388, Para. 2, 4; D19: Page 4, lines 7-8).	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or
	D21: LOOSABLLP 002357, 002358.	D23 and the random access memory of D21 with the digital recording and
	D23: Page 9, section 5.3.	editing system of D17 to increase the audio channels that may be recorded

371 Claim	Prior Art Reference(s)	Invalidity Bases
		or the transfer rate of existing channels
d) retrieving audio from the random access storage device while audio data is written into the digital audio tape and the random access storage device.	D1: D2, Page 1; D5, Page 1; D10, Page 10.  D11: Col. 2, lines 29-48.  D14: Col. 3, lines 17-27, Col. 4, lines 33-35, Col. 5, lines 35-41, Col. 6, lines 31-35.  D12: D13, Page 11, lines 18-21.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.  D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 1-4.  D21: LOOSABLLP 002357, 002358.  D23: Page 9, section 5.3.	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D23 and/or the random access memory of D21 with the digital recording and editing system of D17 to retrieve data more efficiently and precisely and to write audio in the digital audio tape and the random access storage device in digital format.
5. In a system for processing audio having	D1: D9, Page 8, line 17 – Page 9, line 4, Page 10, line 13 – Page 11, line 10; Page 15, lines 12-23, Page 22, lines 10-13.  D17: Page 13, Para. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D20 and/or D23 and/or 24.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D15 and/or D16 and/or D17 D18 and/or D20 and/or D21 and/or D22 and or D23 and/or D24.  This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D17 in combination with D1 and/or D11 and/or D12, and/or D15 and/or D16 and/or D18 and/or D20 and/or D21 and/or D22 and or D23 and/or D21 and/or D21 and/or D22 and or D23 and/or D24.
an interface for receiving audio from an audio source,	D1: D9, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10, Page 15, lines 12-23, Page 22, lines 10-13.  D17: Page 16, Para 3	

371 Claim	Prior Art Reference(s)	Invalidity Bases
a digital signal processor in communication with the interface for compressing the audio signals,	D1: D9, Page 8, line 17 – Page 9, line 4, Page 10, line 13 – Page 11, line 10, D10, Page 16.	
a controller in communication with the digital signal processor for receiving audio therefrom and arranging data in a prescribed order, a supervisor in communication with said controller accessing data from said system, and	D1: D9, Page 8, line 17 – Page 9, line 4, Page 10, line 13 – Page 11, line 10, Page, 22, lines 10-13; D10, Page 16.  D17: Page 16, Para. 3, 5.  D1: D9, Page 15, lines 12-23, Page 8, line 17 – Page 9, line 4, Page 10, line 13 – Page 11, line 10, Page, 22, lines 10-13; D10, Page 16.	
a buffer in communication with the controller for receiving arranged audio from the controller, the improvement comprising:  a digital audio tape drive unit in communication with the buffer for receiving arranged audio data from the buffer,	D17: Page 16, Para. 3, 5.  D1: D9, Page 10, line 13 – Page 11, line 10, Page 18, lines 10-14, Page 15, lines 13-23, Page 17, lines 7-20; D2, page 2; D10, Page 9.  D17: Page. 16, Para. 3  D1: D9, Page 10, line 13 – Page 11, line 10, Page 18, lines 10-14, Page 15, lines 13-23, Page 17, lines 7-20; D2, Page 2; D10, Page 17.  D11: Col. 10, line 66 – Col. 11, line 54, Col. 9, lines 46-47, Col. 2, lines 29-36, Col. 2, lines 38-41, Col. 3, lines 31-47, Col. 7, lines 26-33.  D12: D13, Page 11, lines 18-21  D14: Col. 17, lines 30-54; Col. 2, lines 29-48.  D23: Page 9, section 5.3.	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D23 with the system of D11 to store the same type of data in the DRAM and the recorder unit and to obtain a duplicate recording that requires less hardware.  It would have been obvious to one of ordinary skill in the art to incorporate the buffer of D1 and/or D11 and/or D12 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate that exceeds the modem's capacity to process such data.  It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D23 with the digital recording and editing system of D17 to allow a greater number of channels that may be recorded or to increase the transfer rate of existing
a random access storage device, and	D1: D4, NSDE008308, D9, Page 14, lines 9-25, NSDE008278, D10,	channels.

371 Claim	Prior Art Reference(s)	Invalidity Bases
	NSDB008463.	
	D11: Col. 2, lines 32-36, Col. 17, lines 18-54.	
	D14: Col. 3, lines 17-27, Col. 2, lines 47-54.	
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	
	D17: Page 15, Para. 3; Page 16, 1-4; Figure 4.	
a pair of pointers providing communication between said buffer and random storage	D1: D9, Page 15, lines 12-23, Page 16, lines 8-19, Page 19, line 20 - Page 22, line 13; D3, Pages 2-3.	It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D1 and/or D12 and/or D14 and/or D15 and/or D16
device, the first of said pointers operative for transmitting audio data to said random access	D11: Col. 17, lines 30-54; Col. 2, lines 29-48.	and/or D20 and/or D23 and/or 24 with the system of D11 to store and retrieve data efficiently and precisely
storage device from said buffer and the second of said pointers being operative to send audio	D14: Col. 3, lines 17-27, Col. 5, lines 35-41, Col. 4, lines 33-35, Col. 6, lines 31-35.	while operating with a single buffer.  This claim is invalid under 35 U.S.C.
data from said random access storage device to said controller.	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	\$103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D15 and/or D16 and/or D17 D18 and/or D20 and/or D21 and/or
	D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 3, 4.	D18 and/or D20 and/or D21 and/or D22 and or D23 and/or D24 to store and retrieve data efficiently and precisely, and reduce loss of data
	D18: Page 1385, Para. 4, Page 1387 Para. 2; Page 1388, Para. 2, 4.	resulting from an excessive transfer rate.
	D20: Col. 13, lines 36-41; col. 14, lines 24-34; col. 15, lines 30-47.	This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D17 in combination with D1 and/or D11
	D22: LOOSABLLP 002366, line 14 – LOOSABLLP 002367, line 69.	and/or D12, and/or D15 and/or D16 and/or D18 and/or D20 and/or D21 and/or D22 and or D23 and/or D24 to store and retrieve data efficiently and precisely, and reduce loss of data resulting from an excessive transfer rate.
8. An audio data storage device, comprising:	D1: D3, Page 3.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D1.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in
	D17: Page 13, Para. 1.	combination with D1 and/or D12 and/or D14 and/or D15 and/or D16

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D19: Page 1385, Para. 2.	and/or D22.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D17 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D22.
a random access storage device having a primary partition for storing audio data and a secondary partition for storing means for locating data on said primary partition and	D1: D5, Page 1; D2, Page 1; D3, Page 3; D8, Page 1; D9, Page 46, lines 2-20, Page 19, line 17 – Page 20, line 14, Page 18, line 25 – Page 19, line 15, Page 15, lines 1-8; D10, Pages 12-13  D11: Col. 17, lines 30-54; Col. 2, lines 29-48.  D14: Col. 3, lines 17-27, Col. 2, lines 47-54.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.  D17: Page 17, Para. 4; Page 18, Para. 1-3, 5.  D18: Page 1390, Para. 2-4.  D20: Col. 10, lines 36-40.  D24: Page 128, section 3.1.  D25: Page, 24-25.	It would have been obvious to incorporate the partitions of D15 and/or D18 and/or D20 and/or D24 with the system of D11 and/or D12 and/or D14 to store and retrieve data more efficiently and precisely while operating with a single buffer.  It would have been obvious to incorporate the partitions of D15 and/or D18 and/or D20 and/or D24 with the system of D17 to to store and retrieve data efficiently and precisely, and reduce loss of data resulting from an excessive transfer rate.
a pair of pointers in	D1: D9, Page 15, lines 12-23, Page	It would have been obvious to one of
communication with said random access memory, a first of said pointers being operated to transmit data to said random access storage device and the second of said pointers being operative to retrieve audio data	19, line 17 – Page 20, line 14, Page 18, line 25 – Page 19, line 15; D10, Pages 12-13, Pages 15-16.  D11: Col. 17, lines 30-54; Col. 2, lines 29-48.	ordinary skill in the art to incorporate the pair of pointers of D16 with the system of D11 and/or D12 and/or D14 to retrieve data efficiently and precisely while operating with a single buffer.
from said random access storage device.	D14: Col. 3, lines 17-27, Col. 5, lines 35-41, Col. 4, lines 33-35, Col. 6, lines 31-35.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.  D16: Col. 2, line 62 — Col. 3, line 21, Col. 4, lines 11-33.	It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D16 and/or D18 and/or D20 and/or D22 with the system of D11 and/or D12 and/or D14 to store and retrieve data efficiently and precisely while operating with a single buffer.
	CGI. T, IIIGG II 55.	It would have been obvious to one of

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D17: Page 1, Para. 6; Page 15, Para.	ordinary skill in the art to incorporate
	1; Page 17, Para. 4; Page 18, Para. 3, 4.	the pair of pointers of D16 and/or D18 and/or D20 and/or D22 with the
	D18: Page 1385, Para. 4, Page 1387	system of D17 to store and retrieve
	Para. 2; Page 1388, Para. 2, 4.	data efficiently.
	D20: Col. 13, lines 36-41; col. 14,	
•	lines 24-34; col. 15, lines 30-47.	
	D22: LOOSABLLP 002366, line 14 – LOOSABLLP 002367, line 69.	
	D24: Page 128, section 3; Page 129, section 6.1; Page 130, section 7.1.	
	D25: Page 23.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Publication No. 2001/0043697 to Cox, published November 22, 2001, filed on May 11, 1998.(WSNSDE0000874-94)  D2: PCT Publication No. WO 98/13995 to Smythe, published April 2, 1998, filed September 25, 1997.(WSNSDE0008433-77)  D3: U.S. Patent No. 5,668,863 to Bieslin, filed April 26, 1996, claiming priority to U.S. Application Serial No. 08/509,390, filed June 31, 1995.(WSNSDE0005185-5222)	
1. A method for accessing information in at least one digital logger storing data associated with input from a plurality of input channels, comprising:	D1: Page 2, Para. 30; Page 2, para. 17.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 3, line 56 - Col. 4, line 10; Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2.
at a Web server having access to said at least one digital logger,	D1: Page 2, para. 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.

920 Claim	Prior Art Reference(s)	Invalidity Bases
receiving a request for retrieval	D1: Page 10, claim 25.	
of stored data from a client;	D2: Page 20, lines 28-29.	
	D3: Col. 11, lines 18-22.	
retrieving stored data in accordance with the received	D1: Page 1, para. 40, 42.	
request;	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
and transferring the retrieved data to the client.	D1: Page 1, para. 42.	
4444	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
3. The method of claim 2 wherein the step of retrieving	D1: Page 2, para. 35.	This claim is invalid under 35 U.S.C. \$102(e) as anticipated by D1.
stored data comprises accessing call information for a record of an input channel made by said	D2: Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
at least one digital logger.	D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger
		associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of
		ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to
		make recordings available to more clients across a greater geographical area.
6. The method of This claim	D1: Page 8, para. 103; Page 8, para.	This claim is invalid under 35 U.S.C.
wherein the step of retrieving	99.	§102(b) as anticipated by D2.

920 Claim	Prior Art Reference(s)	Invalidity Bases
stored data comprises accessing archived data at the Web server corresponding to a record of an input channel made by said at least one digital logger.	Prior Art Reference(s)  D2: Page 21, lines 23-25.  D3: Col. 3, lines 59-64.	Invalidity Bases  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D1 in combination with D2 and/or D3. It would have been obvious to a person of ordinary skill in the art including the archived data at the Web server of D2 and/or D3 to have a backup archive for important recordings.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to
16. A method for accessing information stored by at least one digital logger storing data associated with input from a plurality of communication channels, comprising:	D1: Page 2, Para. 30; Page 2, para. 17.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 3, line 56 - Col. 4, line 10; Col. 10, lines 8-14; Col. 2, lines 4-7; Col. 3, lines 31-34.	make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2.

920 Claim	Prior Art Reference(s)	Invalidity Bases
at a Web server having access to said information stored by at least one digital logger over a communications network,	D1: Page 2, para. 17.  D2: Page 5, lines 11-12.  D3: Col. 10, lines 8-14; Col. 3, line 56 - Col. 4, line 22; Col. 2, lines 4-7; Col. 3, lines 31-34.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate the digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
receiving a request for retrieval of stored data from a user;	D1: Page 10, claim 25.  D2: Page 20, lines 28-29.  D3: Col. 11, lines 18-22.	
retrieving said stored data from said information in accordance with the received request;	D1: Page 1, para. 40, 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.	
and transferring the retrieved data to the client.	D1: Page 1, para. 42.  D2: Page 21, lines 23-25.  D3: Col. 11, lines 18-22.	
18. The method of claim wherein the step of retrieving stored data comprises accessing call information for a record of a communication channel made by said at least one digital logger.	D1: Page 2, para. 35.  D2: Page 21, lines 30 - Page 22, line 1.  D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C.

920 Claim	Prior Art Reference(s)	Invalidity Bases
		§102(b) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.
21. The method of This claim6 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of a communication channel made by said at least one digital logger.	D1: Page 8, para. 103; Page 8, para. 99.  D2: Page 21, lines 23-25.  D3: Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D1 in combination with D2 and/or D3. It would have been obvious to a person of ordinary skill in the art including the archived data at the Web server of D2 and/or D3 to have a backup archive for important recordings.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 's digital logger associated with input from a plurality of input channels to make recordings available to more clients across a greater geographical area.

920 Claim	Prior Art Reference(s)	Invalidity Bases
920 Cigim	THO ALL REIGHERCOS	§ 103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate the web server and digital logger associated with input from a plurality of input channels of D1 and/or D2 to make recordings available to more clients across a greater geographical area.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Sale of Eyretel e1000, sold in the U.S. as of at least October, 1992. See 30(b)(6) Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd.,	
	dated June 21, 2002, Civil Action 3:00CV1143.	
	D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale).(WSNSDE0013861-94)	
	D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.)( WSNSDB0015161-98)	
	D4: U.S. Patent No. 5,724,738, to Daly et al., filed on December 31, 1991. (WSNSDE0008620-5)	
	D5: Digital Audio Tape For Data Storage, IBEE Spectrum, October, 1989. (WSNSDE0010785-9)	
	D6: Racal Rapidax, sold in the U.S. as of at least December 21, 1992.	
	D7: Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions. (NSDE008300-008302) (evidencing the hardware of the D6 sale).	
	D8: Rapidax Access Voice Logging Recorder. (NSDE008312-008319) (evidencing the hardware of the D6 sale).	
	D9: Rapidax Instant Call Recorder, (NSDB008305-008309) (illustrating the hardware of the D6 sale).	
	D10: Rapidax in Surveillance and Security Monitoring (NSDE008310-008311) (evidencing the hardware of the D6 sale).	
	D11: Operator s Manual. (NSDE008320-008324) (evidencing the hardware of the D6 sale).	
	D12: System Manager's Manual. (NSDB008325-008340) (evidencing the hardware of the D6 sale).	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D13: "Rapidax Tape Archive and System Network." (NSDE008303-008304) (evidencing the hardware of the D6 sale).  D14: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing the hardware of the D6 sale).  D15: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D6 sale).	
A modular digital recording logger,	D1: D2 and D3.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1
comprising:	D4: Col. 1, lines 28-58.	(eyidenced by D1-D3).
	D6: D7, Pages 1-3.	Claim 1 is invalid under 35 U.S.C. \$102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative under 35 U.S.C. \$102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 1 is invalid under 35 U.S.C. \$103 as obvious in view of D4 in combination with D1 and/or D5.
a housing;	D1: D2, and D3 Page 9.	
	D4: Col. 2, lines 15-19, Col. 3, lines 28-32. D6: D7, Pages 1-3; D8, Page 4.	
at least two circuit modules	D1: D2, and D3 Pages 2-5.	
in said housing for converting analog voice signals to digital voice signals, each of said circuit modules including at least two terminals for receiving said analog voice signals,	D4: Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-21; Col. 4, lines 3-6. D6: D7, Page 2; D8, Page 6.	
each of said terminals being capable of receiving said analog voice signals for recording a two-way		

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
conversation;		
a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data;	D1: D2, and D3 Page 6.  D4: Col. 2, line 65 Col. 3, line 2.  D6: D7, Page 2; D8, Page 6.	
a first bus in said housing for providing communication between said circuit module and said compressing circuit;	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Page 2; D8, Page 6.	
a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus; and	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Pages 1-3, D8, Page 6.	
a digital audio tape (DAT) drive for storing said compressed voice data.	D1: D2 and D3 Pages 2, 6-7, and 13-15.  D5: Entire Article.  D6: D10, Page 1; D13, Page 2; D12, Pages 6-16.	The DAT in D1 is used to store compressed data. The DAT may be used as backup storage to the host computer of D4, which "stores" data from the voice processing board. It would have been obvious to one of ordinary skill in the art to include the DAT of D1 in the system of D4 for the purpose of backup storage and archiving of digital data.  D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in the system of D4 for backup storage and archiving digital data.
3. The modular digital recording logger of claim 1, further including a speaker in communication with at least one circuit module.	D1: D2 and D3 Pages 8-9. D6: D8, Page 7.	Claim 3 is invalid under 35 U.S.C. §102(b) as anticipated by D1. Claim 3 is invalid under 35 U.S.C. §102(b) as anticipated by D6

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		(evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).
4. The modular digital recording logger of claim 1, further comprising a hard disk drive in said housing for storing and reproducing said compressed voice data.	D1: D2, D3 pages 2, 11-16.  D4: Col. 2, lines 15-19; Col. 1, lines 55-58.  D6: D7, Pages 1-3; D8, Page 7.	Claim 4 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 4 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 4 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1. See motivation to combine from Claim 1.
6. The modular digital recording logger of claim 1, wherein said first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Page 2; D8, Page 6.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.
11. A network system of modular digital recording loggers, comprising:	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6.	Claim 11 is invalid under 35 U.S.C. \$102(b) as anticipated by D1.  Claim 11 is invalid under 35 U.S.C. \$102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. \$102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 11 is invalid under 35 U.S.C. \$103 as obvious in view of D4 in combination with D1 and/or D5.
at least two digital recording loggers for logging voice	D1: D2, and D3 Pages 2, 17.	It would have been obvious to one of ordinary skill in the art to utilize

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
conversations, each of said recording loggers comprising:	D6: D7, Pages 1-3; D8, Pages 2-6.	multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access to stored digital voice signals on remote computers or devices, as in D1.
a housing;	D1: D2, and D3 Page 9.  D4: Col. 2, lines 15-19, Col. 3, lines 28-32.  D6: D7, Pages 1-3; D8, Page 4.	
a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit modules including at least two terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation,	D1: D2, and D3 Pages 2-5.  D4: FIG. 1; Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-21; Col. 4, lines 3-6.  D6: D7, Page 2; D8, Page 6.	
a circuit in said housing for compressing said digital voice signals received from each of said circuit modules to provide compressed voice data,	D1: D2, and D3 Page 6.  D4: Col. 2, line 65 Col. 3, line 2.  D6: D7, Page 2; D8, Page 6.	
a first bus in said housing for providing communication between said circuit module and said compressing circuit,	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Pages 1-3, D8, Page 6.	
a multiplexer circuit in said housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus,	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Pages 1-3, D8, Page 6.	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
a digital audio tape (DAT) drive for storing said	D1: D2 and D3 Pages 2, 6-7, and 13-15.	D1 teaches a DAT drive for use in the system of D4. The DAT in D1 is used
compressed voice data,	D5: Entire Article.  D6: D10, Page 1; D13, Page 2; D12,  Pages 6-16.	to store compressed data. The DAT may be used as backup storage to the host computer, which "stores" data from the voice processing board. It would have been obvious to one of
	•	ordinary skill in the art to include the DAT of D1 in the system of D4 for backup storage and archiving digital data.
		D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in the system of D4 for backup storage and archiving digital data.
a hard disk drive in said	D1: D2, D3 pages 2, 11-16.	
housing for storing and reproducing said compressed voice data,	D4: Col. 2, lines 15-19; Col. 1, lines 55-58.	
	D6: D7, Pages 1-3; D8, Page 7.	
a first computer in said housing for operating said	D1: D2 and D3 Pages 2, 6-7, and 11-15.	
DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	
a second bus in said housing for connecting said	D1: D2 and D3 Pages 2, 6-7, and 11-15.	One or more buses may be added to D4 to communicate with the DAT in
computer to said hard disk drive and said DAT drive;	D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.	addition to the hard disk drive, which is a matter of design choice. It would have been obvious to one of ordinary skill in the art to use a single bus to reduce the number of communication channels required to supply digital data to the DAT and hard disk, as in D1.
a second computer for processing compressed digital voice signals received from each of said recording loggers; and	D1: D2 and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, and to permit computer access to stored digital voice signals, to permit remote access of digital

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		voice signals from a single location.
a third bus connecting each of said recording loggers to said second computer.	D1: D2 and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, and to permit computer access to stored digital voice signals, to permit remote access of digital voice signals from a single location.
13. The network system of claim 11, wherein said third bus is a local area network (LAN) bus.	D1: D2, D3 Pages 2, 12-17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 13 is invalid under 35 U.S.C. §102(b) as anticipated by D1 and/or D6, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1 and/or D6.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN would have been obvious to one of ordinary skill in the art as a matter of design choice.
15. The network system of claim 11, wherein said first bus is a time division multiplexed (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1, Col. 2, line 58 to Col. 3, line 8.  D6: D7, Pages 1-3; D8, Page 6.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 15 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1. See motivation to combine from Claim 11.
20. The network system of claim 11, wherein said second computer is a workstation.	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 20 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 20 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1.  It would have been obvious to one of ordinary skill in the art utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access and replay to stored digital voice signals

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		on remote devices, as in D1, to permit a distributed system of recorders.
		Claim 20 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).
21. The network system of claim 11, further comprising a speaker in communication with said second computer for reproducing said analog voice signals.	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 21 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 21 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1.  It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access and replay to stored digital voice
	·	signals on remote devices, as in D1, to permit a distributed system of recorders.  Claim 21 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).

# U.S. Pat. No. 6,959,079 Invalidity Chart

079 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Teknekron Infoswitch website, dated July 1997.(WSNSDE0010761)	
	D2: U.S. Patent No. 5,790,798 to Beckett II, et al., issued August 4, 1998, filed May 31, 1996. (WSNSDE0005413-31)	
	D3: U.S. Patent No. 5,867,559 to Jorgenson, et al., issued February 2, 1999, filed February 20, 1996. (WSNSDE0005592-600)	
	D4: U.S. Patent No. 6,263,049 B1 to Kuhn, issued July 17, 2001, filed September 25, 1997, claiming priority to U.S. Provisional Application Serial No. 60/028,192 filed October 10, 1996. (WSNSDE0006158-71)	
	D5: U.S. Patent No. 6,370,574 to House, et al., issued April 9, 2002, filed December 16, 1998. (WSNSDE0006331-55)	
	D6: U.S. Patent No. 6,600,821 to Chan, et al., issued July 29, 2003, filed October 26, 1999. (WSNSDE0006684-94)	
	D7: U.S. Patent No. 6,404,857 to Blair, et al., issued on June 11, 2002, filed Rebruary 10, 2000, claiming priority to U.S. Patent Application Ser. No. 08/936,428, filed September 24, 1997. (WSNB018866-74)	
A monitoring system for monitoring interactions of an agent with customers comprising:	D1: Desktop Screen Capture page.  D2: column 1, lines 21-25, and lines 52-56.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D2.
	D3: column 1, lines 7-9.	Claim 1 is invalid under 35 U.S.C.
	D4: column 1, lines 14-17, and lines 28-30.	§102(b) as anticipated by D3.  Claim 1 is invalid under 35 U.S.C.
	D5: column 1, lines 35-38, and column 1, line 66 column 2, line 3.	§102(e) as anticipated by D4.
		Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D5.

# U.S. Pat. No. 6,959,079 Invalidity Chart

079 Claim	Prior Art Reference(s)	Invalidity Bases
a voice logger to receive and	D1: Desktop Screen Capture page.	
record audio of a telephone call of said agent;	D2: column 15, lines 20-27.	
	D3: column 1, lines 52-56.	
	D4: column 9, lines 45-61.	
	D5: column 6, lines 7-23.	
a screen logger to receive and record video screen data	D1: Desktop Screen Capture page.	
associated with interactions of said agent with a computer	D2: column 4, lines 33-50.	
during the telephone call; and	D3: column 1, lines 56-61, and column 1, line 66 column 2, line 4.	
	D4: column 9, lines 45-61.	
	D5: column 6, lines 7-23.	
an event manager to determine	D1: On Demand page.	•
whether said interactions with the computer during the	D2: column 6, lines 15-26.	
telephone call meet at least one predefined monitoring	D3: column 3, lines 25-33.	
condition.	D4: column 11, lines 1-14.	
	D5: column 17, lines 8-13.	
3. The monitoring system of	D1: Desktop Screen Capture page;	Claim 1 is invalid under 35 U.S.C.
claim 1, wherein said event	On Demand page.	§102(b) as anticipated by D1.
manager is able to instruct said voice logger to begin recording	D2: column 4, lines 33-50; column 6,	Claim 1 is invalid under 35 U.S.C.
of an audio portion of said telephone call and to instruct	lines 15-26.	§102(b) as anticipated by D2.
said screen logger to begin	D3: column 1, lines 56-61; column 1,	Claim 1 is invalid under 35 U.S.C.
recording generally in	line 66 column 2, line 4; column 3,	§102(b) as anticipated by D3.
synchronicity with said voice logger at least a portion of said	lines 25-33.	Claim 1 is invalid under 35 U.S.C.
video screen data when said	D4: column 9, lines 45-61; column 11,	§102(e) as anticipated by D4.
monitoring condition is	lines 1-14.	Claim 1 is invalid under 35 U.S.C.
satisfied.	D5: column 6, lines 7-23; column 17,	§102(e) as anticipated by D5.
	lines 8-13.	
6. The monitoring system of	D1: P&Q Review page.	Claim 6 is invalid under 35 U.S.C.
claim 5, wherein said evaluator	DA salumn O lines 22.26	§102(b) as anticipated by D1.
is able to perform automated evaluations based on predefined	D4: column 9, lines 32-36.	Claim 6 is invalid under 35 U.S.C.
programming.	D6: column 4, line 56 column 5, line	§102(e) as anticipated by D4.

### U.S. Pat. No. 6,959,079 Invalidity Chart

079 Claim	Prior Art Reference(s)	Invalidity Bases
079 Claim	6. D7: column 3, lines 7-43.	Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D6 in combination with D1 and/or D4.  Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D6 in combination with D1 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as being obvious over D6 in combination with D1 and/or D4. It would have been obvious to one of ordinary skill in the art to incorporate the voice recognition technology of D6 into the call center monitoring system of D1 or D4 in order to detect problematic calls among those stored in the system.
		Claim 6 is invalid under 35 U.S.C. § 103 as obvious in view of D7 in combination with D1 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as being obvious over D7 in combination with D1 and/or D4. It would have been obvious to one of ordinary skill in the art to incorporate the voice recognition technology of D7 into the call center monitoring system of D1 or D4 in order to determine the quality of service provided during the call.

# U.S. Pat. No. 5,274,738 Invalidity Chart

738 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 4,995,054 to Boyd, Jr. et al., issued September 4, 1990, filed October 5, 1988. (WSNSDE0044270-76)  D2: U.S. Patent No. 4,817,086 to Oye et al., issued March 18, 1989, filed August 27, 1986. (WSNSDE0044254-69)  D3: U.S. Patent No.	
	4,573,140 to Szeto, issued February 25, 1986, filed March 30, 1983. (WSNSDE0002435-49)	
A digital modular voice     processing system     comprising:		Claim 1 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with D2.
a) a host computer having a host processor, and a storage medium, a memory and a bus interface in communication with said host processor,	D1: Figure 5; column 3, lines 23-24; column 5, lines 47-48.	It is well known that PC-AT computers include a processor, storage medium, and a bus interface.
b) a first bus in communication with said bus interface,	D1: Figure 5; column 5, lines 47-48.	
c) a voice processing card having at least one digital signal processor and at least one application processor in communication with said at least one digital signal processor, a first interface providing communication between said at least one application processor and said first bus, and a first time division multiplexer chip in communication with said at least one digital signal processor,	D1: Figure 5; Figure 6; Figure 8; column 4, lines 35-40; column 5, lines 43-67; column 3, lines 7-9.  D2: Figure 1; Figure 3; column 3, lines 68-61; column 7, lines 62-65.	D1 discloses each of the recited claim elements. The location of these chips is merely a matter of design choice.  DS1/T1 lines are well known to be time division multiplexed (TDM). The switch line interface of D1 is a TDM chip.  It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors 10 and signal processors 13.

# U.S. Pat. No. 5,274,738 Invalidity Chart

738 Claim	Prior Art Reference(s)	Invalidity Bases
d) a second bus in communication with said first time division multiplexer chip, and	D1: Figure 1; Figure 5; Figure 6; Figure 8; column 6, lines 25-27.	DC1/E1 lines are well brown to be TDM
e) at least one audio card including a second time division multiplexer chip that communicates with said second bus, an audio processor in communication with said second time division multiplexer chip, and a second interface in communication with said audio processor, said second interface having a plurality of ports that provide communication with communication lines.	D1: Figure 1; Figure 2, Figure 5; Figure 6; column 2, lines 29-39; column 4, lines 62-68.  D2: Figure 1; Figure 3; column 3, lines 68-61; column 7, lines 62-65.	D\$1/T1 lines are well known to be TDM. The D\$1 line interface of D1 is a TDM chip.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Blue Cross Blue Shield Eclipse, sold	
	in the U.S. before June 2, 1998.	
	D2: Blue Cross Blue Shield User Guide (illustrating hardware of D1 sale) (WSNSDE0012983-92)	
	D3: Application Development Guide - Blue Cross / Blue Shield Belipse Project Eclipse Modification and Design (illustrating hardware of D1 sale) (WSNSDE0012967-82)	
	D4: Tracking Agent Id through Inter- Site Call Transfers (illustrating hardware of D1 sale)(WSNSDE0012993-4)	·
	D5: Blue Cross Blue Shield System Diagrams (illustrating hardware of D1 sale)(WSNSDE0013084- 7;WSNSDE0013177-83)	
	D6: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94)	
	D7: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	
	D8: U.S. Publication No. 2001/0043697 to Cox, published November 22, 2001, filed on May 11, 1998. (WSNSDE0000874-94)	
A multi-stage data     logging system comprising:	D1: D3, pg. 5; D5.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
		Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
a) a telecommunications	D1: D3, pgs. 5-6; D5.	
("telecom") stage receiving input from a plurality of communication channels;	D8: paras. 46 to 48.	
b) a recorder stage having one or more recorders, at	D1: D3, pgs. 5-7, and 16; D4, pgs. 3-5; D5; D6; D7.	
least one recorder logging data associated with information transmitted on at least one of said plurality	D8: paras. 34, 38, 39, 43, 58, 71-75, and 78.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
of communication channels;		
c) a distribution stage providing access to data	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
logged in the recorder stage;	D8: para. 40-42.	
d) a first interface linking the telecom and the recorder	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
stages and a second interface linking the recorder and the distribution stages;	D8: FIG. 1; para. 46-48.	
wherein at least two stages	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
of the system are physically separable and in operation can be located wide distances apart.	D8: FIG. 1; para. 30-33.	
6. The data logging system	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	Claim 6 is invalid under 35 U.S.C.
of claim 1 wherein the telecom stage provides time	D8: para. 35, 99.	§102(b) as anticipated by D1.
stamping of the received input.	* ,	Claim 6 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
14. The data logging system of claim 1 wherein the distribution stage comprises:		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
distribution stage comprises.		Claim 14 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
cl) a first interface receiving data from the	D1: D3, Page 5; D5.	
recorder stage;	D8: para. 31, 40-45, 90-94, 108, 109.	
c2) a controller for directing and monitoring distribution	D1: D2, pgs. 3-4, 7; D3, pgs. 5-7; D5.	
stage operations;	D8: para. 31, 40-45, 90-94, 108, 109.	
c3) a buffer for transitional data storage; and	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
	D8: para. 31, 40-45, 90-94, 108, 109.	
c4) a second interface for distributing data to one or	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
more output channels.	D8: para. 31, 40-45, 90-94, 108, 109.	
15. The data logging system of claim 1 wherein the	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
distribution stage comprises		
an archive storage device		
for archiving data.	·	
17. The data logging system		Claim 17 is invalid under 35 U.S.C.
of claim 15 wherein said		§102(b) as obvious over D1.
archive storage device is a		
RAID array.		It would have been obvious to one of
		ordinary skill in the art to replace a
		hard disk drive, as in D1, with a RAID array, as was known in the art, to
		increase data integrity, data storage
		capacity, and/or fault-tolerance.
19. The data logging system		Claim 19 is invalid under 35 U.S.C.
of claim 1 wherein the		§102(b) as anticipated by D1.
distribution stage comprises:		Claim 19 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.
an operating system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	
software application and a	D5.	
computer capable of	77 71 40 45 00 04 109 100	
running said software	D8: para. 31, 40-45, 90-94, 108, 109.	
application and accessing one or more remote serve		
computers.		
32. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 32 is invalid under 35 U.S.C.
of claim 1, wherein the	D5.	§102(b) as anticipated by D1.
distribution stage is	D8: para. 40-42.	Claim 32 is invalid under 35 U.S.C.
implemented as a network server.	Do. para. 40-42.	§102(e) as anticipated by D8.
act vol.		
33. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 33 is invalid under 35 U.S.C.
of claim 32, wherein the	D5.	§102(b) as anticipated by D1, or in the
network server is a Web		alternative, under 35 U.S.C. §103 as
server.	D8: para. 40-42.	obvious in view of D1 in view of D8.
		Claim 33 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.
		D8 discloses a call center with call
		recording capabilities, where the call
		center is accessible via a web server
		and a browser. It would have been obvious to one of ordinary skill in the
		art to utilize a web server to permit
		remote access, as in D1, from web-
		based clients, as the world-wide-web
		is a popular and easily accessible
		network for remotely connecting to a

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		computer/network.
34. The data logging system of claim 32, wherein the network server is a file server.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 34 is invalid under 35 U.S.C.
Server.	100. рага. 40-42.	§102(e) as anticipated by D8.
43. A data logger, comprising:		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
		Claim 43 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
a telecommunication device receiving input from a plurality of communication	D1: D6, and D7 Pages 2-5.	
channels;	D8: paras. 46 to 48.	
a processor converting the received input to one or	D1: D6, and D7 Pages 2-5.	
more data formats;	D8: paras. 47 to 52.	
a memory for logging information about the received input, the	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.  D8: para, 34-35, 38, 78, and 99.	
information comprising data converted to at least one data format;	De. para. 34-32, 36, 76, and 39.	
a communication path to a communications network;	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
and	D8: para. 40-42.	·
a server having access to the memory via the	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
communications network for transferring logged data from one or more of said	D8: para. 40-42.	
plurality of communication channels via the communications network to		
at least one remote user.		
44. The data logger of claim 43 wherein the server is a Web server and the	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. §103 as
communications network is the Internet.	D8: para. 40-42.	obvious in view of D1 in view of D8.
		Claim 44 is invalid under 35 U.S.C. §102(e) as anticipated by D8.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		D8 discloses a call center with call
		recording capabilities, where the call
		center is accessible via the Internet, a
		web server and a browser. It would
		have been obvious to one of ordinary
		skill in the art to utilize a web server to
		permit remote access, as in D1, from
		Internet-based clients, as the world-
		wide-web is a popular and easily
		accessible network for remotely
		connecting to a computer/network.

# **EXHIBIT D**

#### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD,

> Plaintiffs and Counterclaim Defendants,

C.A. No. 1:06-CV-00311-JJF

٧.

WITNESS SYSTEMS, INC.

Defendant and Counterclaim Plaintiff.

#### DEFENDANT WITNESS SYSTEMS, INC. S SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD, S INTERROGATORY 2 and 2(a)

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of the District of Delaware, Defendant Witness Systems, Inc. (Witness Systems) provides the following supplemental objections and responses to the Interrogatories propounded by Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, NICE). Subject to and without waiving its previously stated objections, Witness Systems incorporates by reference its responses and objections to NICE s First and Second Sets of Interrogatories as if set forth verbatim herein, and for brevity provides only the supplemental information for the identified interrogatories below:

#### SUPPLEMENTAL RESPONSES

#### INTERROGATORY NO. 2:

Describe in detail the factual and legal bases for Witness' contention that [the claims of the 738, 371, 005, 345, 372, 370,'920, 079, and 109 patents are invalid for failure to comply with the United States patent laws, 35 U.S.C. §§ 1, et seq., including without limitation § § 102, 103, and/or 112. The detailed description of such factual and legal bases should include, without limitation, an identification of which aspect(s) of 35 U.S.C. § 112 Witness contends the Patents-In-Suit do not

meet and an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:

For each of the Patents-in-Suit that Witness Systems contends to be invalid in view of the e1000 recorder, including documentation for and actual physical samples of the same, whether alone or in combination with one more references, Witness Systems intends to rely on the personal knowledge of Mr. Alan Gribben.

Witness believes one or more of the claims of the 371 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following refrences, either alone or in combination: The Disk Drive As An Audio Recorder, Hard Disk Recording Conference (May 16-17, 1990); An Experimental Speech Storage and Editing Facility, The Bell System Technical Journal (October 1980); Mediation Brief, Analysis of Prior Art Which Anticipates or Renders Obvious the Claims of U.S. Patent No. 5,396,371, in Dictaphone Corporation vs. Mercom Systems, Inc., Civil Action 3:00CV1143; 4,375,083; JP S62-20460; Memory Space Allocation of Messages in Voice Mail, IBM Technical Disclosure Bulletin (July 1987); A Magnetic Storage Disk Based Digital Audio Recording, Editing and Processing System, 83rd AES Corporation (October 16-19, 1987); A Flexible Digital Sound-Editing Program for Minicomputer Systems, 68th Convention of the Audio Engineering Society in Hamburg, German, Journal of Audio Engineering Society (March 17-20, 1981); NICE's Markman Brief in Dictaphone Corporation vs. Nice Systems, Ltd., (June 21, 2002), Civil Action 3:00CV1143; Magnasync Digital Voice Logger, sold in the U.S. as of at least October, 1992.

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Witness believes one or more of the claims of the 920 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following refrences, either alone or in combination: U.S. Publication No. 2001/0043697 to Cox, published November 22, 2001, filed on May 11, 1998. (WSNSDE0000874-94); PCT Publication No. WO 98/13995 to Smythe, published April 2, 1998, filed September 25, 1997.(WSNSDE0008433-77); U.S. Patent No. 5,668,863 to Bieslin, filed April 26, 1996, claiming priority to U.S. Application Serial No. 08/509,390, filed June 31, 1995.(WSNSDE0005185-5222); Blue Cross Blue Shield Eclipse, sold in the U.S. before June 2, 1998; "Blue Cross Blue Shield User Guide" (illustrating hardware of D1 sale) (WSNSDE0012983-92); "Application Development Guide - Blue Cross / Blue Shield Eclipse Project Eclipse Modification and Design" (illustrating hardware of D1 sale) (WSNSDE0012967-82); "Tracking Agent Id through Inter-Site Call Transfers" (illustrating hardware of D1 sale)(WSNSDE0012993-4); "Racal Adds Remote Replay Over LAN to Wordnet Voice-Logging Recorder, dated June 17, 1996; Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299); United States Patent No. 6,222,838 to Sparks, filed November 26, 1997; European Patent Publication 0837388A2, to Yamakita, filed October 9, 1997, claiming priority to October 15, 1996.

Witness believes one or more of the claims of the 372 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following refrences, either alone or in combination: Blue Cross Blue Shield Eclipse, sold in the U.S. before June 2, 1998; "Blue Cross Blue Shield User Guide" (illustrating hardware of D1 sale) (WSNSDE0012983-92); "Application Development Guide - Blue Cross / Blue Shield

Eclipse Project Eclipse Modification and Design" (illustrating hardware of D1 sale) (WSNSDE0012967-82); "Tracking Agent Id through Inter-Site Call Transfers" (illustrating hardware of D1 sale)(WSNSDE0012993-4); "Blue Cross Blue Shield System Diagrams" (illustrating hardware of D1 sale)(WSNSDE0013084-7; WSNSDE0013177-83); e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671); "E1000/E500 Recorder: Engineer Familiarisation" (illustrating the hardware of the D1 sale). (WSNSDE0015161-98); U.S. Publication No. 2001/0043697 to Cox, published November 22, 2001, filed on May 11, 1998. (WSNSDE0000874-94); PCT Publication No. WO 98/13995 to Smythe, published April 2, 1998, filed September 25, 1997. (WSNSDE0008433-77); Racal Rapidax, sold in the U.S. as of at least December 21, 1992; "Racal s 'Rapidax Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions," dated June 4, 1991. (NSDE008300-008302) (evidencing the hardware of the D10 sale); "Rapidax Access Voice Logging Recorder." (NSDE008312-008319) (evidencing the hardware of the D10 sale); "Rapidax Instant Call Recorder," (NSDE008305-008309) (illustrating the hardware of the D10 sale); "Rapidax in Surveillance and Security Monitoring" (NSDE008310-008311) (evidencing the hardware of the D10 sale); "Operator s Manual." (NSDE008320-008324) (evidencing the hardware of the D10 sale); "System Manager's Manual." (NSDE008325-008340) (evidencing the hardware of the D10 sale); "Rapidax Tape Archive and System Network." (NSDE008303-008304) (evidencing the hardware of the D10 sale); Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing the hardware of the D10 sale); Expert Report on the Invalidity of

U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D10 sale); R[a]cal Recorders, Inc.; "R[a]cal Adds Remote 'Replay Over LAN' to Wordnet Voice Logging Recorder," June 1996. (MERC 013540); "Proposal for a Quality Monitoring / Agent Evaluation System", dated August 20, 1998. (WSNDE 013060-066); Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059) (evidencing the hardware and function of the D21 offer for sale.); "Racal 'Worldnet' Generation of World's Best Selling Voice-Logging Recorder," June 28, 1995. (NSDE 004715-16); United States Patent No. 6,222,838 to Sparks, filed November 26, 1997.

#### **INTERROGATORY NO. 2(a):**

On a claim-by-claim basis in a chart, for each prior art reference identified by Witness in response to NICE's Interrogatory No. 2, identify the disclosure in each prior art reference of each limitation of the Asserted Claims in the respective Patent-in-Suit. To the extent that Witness asserts the prior art references support its invalidity defense under 35 U.S.C. § 103, it must further identify any prior art combinations and the motivation to combine those references.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems

further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Supplemental Exhibit B, which identifies additional representative, invalidating prior art for the ten asserted patents. Numerous other prior art references also contain the identified disclosures. Witness Systems reserves its right to amend and/or supplement this response as discovery and Witness Systems' investigation continue, and after any claim construction ruling. Witness Systems specifically reserves the right to supplement and/or amend its response in light of information and materials that it is currently seeking from third parties.

DATED: May 30, 2007

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on May 30, 2007, I caused to be served DEFENDANT WITNESS SYSTEMS, INC. S SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD. S INTERROGATORIES 2 and 2(a) on counsel for Plaintiffs as follows:

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# **SUPPLEMENTAL EXHIBIT B**

# U.S. Pat. No. 5,274,738 Invalidity Chart

O1: U.S. Patent No. 1,995,054 to Boyd, Jr. et al., 1,995,054 to Boyd, Jr. et al., 1,995,054 to Boyd, Jr. et al., 1,995,054 to Boyd, Jr. et al., 1,990, 1,980. 1,980	
March 30, 1983. WSNSDE0002435-49)	
	Claim 1 is invalid under 35 U.S.C. § 103 over D1, or in the alternative, 35 U.S.C. § 103 over D1 in combination with D2.
D1: Figure 5; column 3, lines 23-24; column 5, lines 47-48.	It is well known that PC-AT computers include a processor, storage medium, and a bus interface.
D1: Figure 5; column 5, lines 47-48.	
D1: Figure 5; Figure 6; Figure 8; column 4, lines 35-40; column 5, lines 43-67; column 3, lines 7-9.  D2: Figure 1; Figure 3; column 3, lines 68-61; column 7, lines 62-65.	D1 discloses each of the recited claim elements. The location of these chips is merely a matter of design choice.  D\$1/T1 lines are well known to be time division multiplexed (TDM). The switch line interface of D1 is a TDM chip.  It would have been obvious to one of ordinary skill in the art to include the TDM bus and interface of D2 between the interface processor and signal processor of D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors and signal processors.  A digital voice processing system designer of ordinary skill in the art, facing the wide
D 47	1: Figure 5; column 3, lines 3-24; column 5, lines 47-48.  1: Figure 5; Figure 6; Figure 6; Figure column 4, lines 35-40; column 5, lines 43-67; column 3, lines 7-9.  2: Figure 1; Figure 3; column 3, lines 68-61;

# U.S. Pat. No. 5,274,738 Invalidity Chart

738 Claim	Prior Art Reference(s)	Invalidity Bases
		range of needs created by developments in the field of digital voice processing systems, would have seen a benefit to incorporate the TDM bus between the interface processor and signal processor as taught by D1 to efficiently move large amounts of data between the two components using a single wire. This reduces the number of multiple channels needed between the interface processors and signal processors.
d) a second bus in communication with said first time division multiplexer chip, and	D1: Figure 1; Figure 5; Figure 6; Figure 8; column 6, lines 25-27.	
e) at least one audio card including a second time division multiplexer chip that communicates with said second bus, an audio processor in communication with said second time division multiplexer chip, and a second interface in communication with said audio processor, said second interface having a plurality of ports that provide communication with communication lines.	D1: Figure 1; Figure 2, Figure 5; Figure 6; column 2, lines 29-39; column 4, lines 62-68.  D2: Figure 1; Figure 3; column 3, lines 68-61; column 7, lines 62-65.	DS1/T1 lines are well known to be TDM. The DS1 line interface of D1 is a TDM chip.

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	D2: Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions. (NSDE008300- 008302) (evidencing the hardware of the D1 sale).	
	D3: Rapidax Access Voice Logging Recorder. (NSDE008312-008319) (evidencing the hardware of the D1 sale).	
	D4: Rapidax Instant Call Recorder, (NSDB008305-008309) (illustrating the hardware of the D1 sale).	
	D5: Rapidax in Surveillance and Security Monitoring (NSDE008310-008311) (evidencing the hardware of the D1 sale).	
	D6: Operator s Manual. (NSDE008320-008324) (evidencing the hardware of the D1 sale).	
	D7: System Manager s Manual. (NSDE008325-008340) (evidencing the hardware of the D1 sale).	
	D8: Rapidax Tape Archive and System Network. (NSDE008303-008304) (evidencing the hardware of the D1 sale).	
	D9: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing hardware of the D9 sale)	
	D10: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D1 sale).	
	D11: United States Patent No. 4,891,835, to Leung, filed on Aoruk 30, 1986, issued on June 2, 1990. (WSNSDE0003055-80)	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D12: Sale of Eyretel e1000, sold in the U.S. as of at least October, 1992.	
	D13: Deposition of Chris Blair in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (evidencing the hardware of the D12 sale)	
	D14: European Patent Publication 0372894, to Koizumi, published on June 13, 1990, filed on December 5, 1989.(WSNSDE0000277-93)	
	D15: U.S. Patent No. 4,905,141, to Brenza, issued February 27, 1990, filed on October 25, 1988.(WSNSDE0003096-126)	
	D16: U.S. Patent No. 4,864,543, to Ward, issued September 5, 1989, filed on April 30, 1987. (WSNSDE0002971-84)	
	D17: "The Disk Drive As An Audio Recorder," Hard Disk Recording Conference, published on Mary 16-17, 1990. (LOOSABLLP 002304-15)	
	D18: "An Experimental Speech Storage and Editing Facility," The Bell System Technical Journal, published in October 1980. (LOOSABLLP 002317-002330)	
	D19: Mediation Brief, Analysis of Prior Art Which Anticipates or Renders Obvious the Claims of U.S. Patent No. 5,396,371, in Dictaphone Corporation vs. Mercom Systems, Inc., Civil Action 3:00CV1143 (evidencing hardware of D1). (LOOSABLLP 002292-002302)	
	D20: United States Patent No. 4,375,083, to Maxemchuk, issued on February 22, 1983. (LOOSABLLP 002332-002355)	
	D21: Japanese Publication No. S62-20460, to Hirokawa, published on January 29, 1987. (LOOSABLLP 002357-002364)	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D22: "Memory Space Allocation of Messages in Voice Mail," IBM Technical Disclosure Bulletin, published in July 1987. (LOOSABLLP 002366-002367)	
	D23: "A Magnetic Storage Disk Based Digital Audio Recording, Editing and Processing System," presented to the public at the 83 <sup>rd</sup> ABS Corporation on October 16-19, 1987. (002381-002398)	
	D24: "A Flexible Digital Sound-Bditing Program for Minicomputer Systems," presented to the public at the 68 <sup>th</sup> Convention of the Audio Engineering Society in Hamburg, German, Journal of Audio Engineering Society, on March 17-20, 1981. (NSDE008479-86)	
	D25: NICE's Markman Brief in Dictaphone Corporation vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDB014561-603) (evidencing hardware of D24)	
	D26: Magnasync Digital Voice Logger, sold in the U.S. as of at least October, 1992. (JONESDAY0021219- JONESDAY0021224)	
1. In a method of storing and retrieving audio from a digital audio logger, the steps comprising:	D1: D2, Pages 1-2; D9, Page 8, line 17 Page 9, line 4; D12: D13, Page 11, lines 7-8. D11: Col. 2, lines 10-14. D17: Page 16, Para. 5. D26: JONESDAY0021219-JONESDAY0021224.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D17 and/or D21.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D17 in combination with D1 and/or D12 and/or D14 and/or D18 and/or D21 and/or D23 and/or D26.
a) monitoring an audio source,	D1: D8, Page 1; D4, Page 4. D11: Col. 3, lines 42-50.	
	D12: D13, Page 11, lines 7-8.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D14: Col. 4, lines 24-30.	
	D17: Page 17, Para. 3, 4.	
b) storing audio data from the audio source in a buffer,	D1: D9, Page 18, lines 10-14; D10, Page 9; D2, Page 2.	
	D11: Figure 6, Col. 10, line 66 – Col. 11, line 54, Col. 9, lines 46-47.	
	D12: D13, Page 11, lines 7-8.	
	D14: Col. 5, lines 16-27.	
	D17: Page 16, Para. 3-4; Page 18, Paragraphs 3, 4; Page 18, Para. 3; Page 20, Figure 1.	
	D21: LOOSABLLP 002357, 002358.	·
	D23: Page 9, section 5.3.	
	D26: JONESDAY0021219- JONESDAY0021224.	
c) writing the audio data from the buffer onto a digital audio tape and a random access storage device, and	D1: D8, Page 1; D3, Page 3; D4, Page 4; D10; D9, Page 14, lines 20-25; Page 46, lines 2-20;	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or and/or D12 and/or D14 and/or D18
	D11: Col. 10, line 66 – Col. 11, line 54, Col. 9, lines 46-47, Col. 2, lines 29-36, Col. 2, lines 38-41.	with the system of D11 to allow archiving of data and/or to store the same type of data in the DRAM and the recorder unit and/or to obtain a
	D12: D13, Page 11, lines 18-21.	duplicate recording that requires less hardware and/or to increase the audio
	D14: Col. 3, lines 17-27, Col. 5, lines 35-41.	channels that may be recorded or the transfer rate of existing channels.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	It would have been obvious to one of ordinary skill in the art to incorporate the buffer of D1 and/or D11 and/or
	D17: Page 16, Para. 6; Page 18, Para. 1-4.	D12 and/or D17 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate
	D18: Page 1385, Para. 2, 4; Page, 1388, Para. 2, 4; D19: Page 4, lines 7-8).	that exceeds the modem's capacity to process such data.
	D21: LOOSABLLP 002357, 002358.	It would have been obvious to one of ordinary skill in the art to incorporate
	D23: Page 9, section 5.3.	the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or D23 and the random access memory.
	D26: JONESDAY0021219- JONESDAY0021224.	D23 and the random access memory of D21 and/or D26 with the digital recording and editing system of D17 to increase the audio channels that

371 Claim	Prior Art Reference(s)	Invalidity Bases
		may be recorded or the transfer rate
		of existing channels.
		A digital audio logger designer of
		ordinary skill in the art, facing the
		wide range of needs created by developments in the field of digital
		audio loggers would have seen a
		benefit to incorporate the digital
		audio tape of D1 and/or and/or D12
		and/or D14 and/or D18 with the system of D11 to allow archiving of
		data and/or to store the same type of
		data in the DRAM and the recorder
		unit and/or to obtain a duplicate
		recording that requires less hardware and/or to increase the audio channels
		that may be recorded or the transfer
	,	rate of existing channels.
		A digital audio logger designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of digital audio loggers would have seen a
		benefit to incorporate the buffer of
		D1 and/or D11 and/or D12 and/or
		D17 with the modern of D14 to
		reduce loss of data resulting from data sent to the modem at a rate that
		exceeds the modern's capacity to
		process such data.
		A digital audio logger designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of digital audio loggers would have seen a
		benefit to incorporate the digital
		audio tape of D1 and/or D12 and/or
		D14 and/or D18 and/or D23 and the
	·	random access memory of D21 and/or D26 with the digital recording and
		editing system of D17 to increase the
		audio channels that may be recorded
		or the transfer rate of existing channels.
		Cimilloid.
d)	D1. D2 Bogs 1. D5 Bogs 1. D10	It would have been obvious to one of
d) retrieving audio from the random access storage device	D1: D2, Page 1; D5, Page 1; D10, Page 10; D9: Page 14, lines 20-25;	ordinary skill in the art to incorporate
while audio data is written into	Page 46, lines 2-20.	the digital audio tape of D1 and/or
the digital audio tape and the	7.1. 6.1.0 11. 20.10	D12 and/or D14 and/or D23 and/or
random access storage device.	D11: Col. 2, lines 29-48.	the random access memory of D21 with the system of D17 and/or D26 to
		I will the system of D17 and/of D20 to

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D14: Col. 3, lines 17-27, Col. 4, lines	retrieve data more efficiently and
	33-35, Col. 5, lines 35-41, Col. 6, lines 31-35.	precisely and/or to write audio in the digital audio tape and the random access storage device in digital
	D12: D13, Page 11, lines 18-21.	format.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	A digital audio logger designer of ordinary skill in the art, facing the
	D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 1-4.	wide range of needs created by developments in the field of digital audio loggers would have seen a
	D21: LOOSABLLP 002357, 002358.	benefit to incorporate the digital audio tape of D1 and/or D12 and/or
	D23: Page 9, section 5.3.	D14 and/or D23 and/or the random access memory of D21 with the
	D26: JONESDAY0021219-	system of D17 and/or D26 to retrieve data more efficiently and precisely
	JONESDAY0021224.	and/or to write audio in the digital audio tape and the random access storage device in digital format.
5. In a system for processing	D1: D9, Page 8, line 17 – Page 9, line	This claim is invalid under 35 U.S.C.
audio having	4, Page 10, line 13 – Page 11, line 10; Page 15, lines 12-23, Page 22, lines	§102(b) as anticipated by D1.
	10-13.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in
	D17: Page 13, Para. 1.	combination with D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D20 and/or D23 and/or 24 and/or D26.
		This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D14 in combination with D1 and/or D11 and/or D15 and/or D16 and/or D17 D18 and/or D20 and/or D21 and/or D22 and or D23 and/or D24.
		This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D17 in combination with D1 and/or D11 and/or D12, and/or D15 and/or D16 and/or D18 and/or D20 and/or D21 and/or D22 and or D23 and/or D24 and/or D26.
an interface for receiving audio from an audio source,	D1: D9, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10, Page 15, lines 12-23, Page 22, lines 10-13.	
	D17: Page. 16, Para. 3	
a digital signal processor in communication with the interface for compressing the	D1: D9, Page 8, line 17 – Page 9, line 4, Page 10, line 13 – Page 11, line 10, D10, Page 16.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
audio signals,		
,,	D17: Page 16, Para. 3	
a controller in communication	D1: D9, Page 8, line 17 - Page 9, line	
with the digital signal processor	4, Page 10, line 13 – Page 11, line 10,	
for receiving audio therefrom	Page, 22, lines 10-13; D10, Page 16.	
and arranging data in a		
prescribed order,	D17: Page 16, Para. 3, 5.	
a supervisor in communication	D1: D9, Page 15, lines 12-23, Page 8,	
with said controller accessing	line 17 - Page 9, line 4, Page 10, line	
data from said system, and	13 - Page 11, line 10, Page, 22, lines	
	10-13; D10, Page 16.	
	D17: Page 16, Para. 3, 5.	
a buffer in communication with	D1: D9, Page 10, line 13 – Page 11,	
the controller for receiving	line 10, Page 18, lines 10-14, Page 15,	
arranged audio from the	lines 13-23, Page 17, lines 7-20; D2,	
controller, the improvement	page 2; D10, Page 9.	
comprising:	page 2, 210, 2 age 3.	
bompining.	D17: Page. 16, Para. 3	
a digital audio tape drive unit in	D1: D9, Page 10, line 13 - Page 11,	It would have been obvious to one of
communication with the buffer	line 10, Page 18, lines 10-14, Page 15,	ordinary skill in the art to incorporate
for receiving arranged audio	lines 13-23, Page 17, lines 7-20; D2,	the digital audio tape of D1 and/or
data from the buffer,	Page 2; D10, Page 17.	and/or D12 and/or D14 and/or D18
		with the system of D11 to allow
	D11: Col. 10, line 66 – Col. 11, line	archiving of data and/or to store the
	54, Col. 9, lines 46-47, Col. 2, lines	same type of data in the DRAM and
	29-36, Col. 2, lines 38-41, Col. 3, lines	the recorder unit and/or to obtain a
	31-47, Col. 7, lines 26-33.	duplicate recording that requires less hardware and/or to increase the audio
	D10. D12 Bags 11 lines 19 21	channels that may be recorded or the
	D12: D13, Page 11, lines 18-21	transfer rate of existing channels.
	D14: Col. 17, lines 30-54; Col. 2,	tunister rate of existing examiner.
	lines 29-48.	It would have been obvious to one of
	mos zy io.	ordinary skill in the art to incorporate
	D23: Page 9, section 5.3.	the buffer of D1 and/or D11 and/or
		D12 and/or D17 with the modem of
	D26: JONESDAY0021219-	D14 to reduce loss of data resulting
	JONESDAY0021224	from data sent to the modem at a rate
		that exceeds the modem's capacity to
		process such data.
		Tr [11]
		It would have been obvious to one of ordinary skill in the art to incorporate
		the digital audio tape of D1 and/or
	·	D12 and/or D14 and/or D18 and/or
		D23 and the random access memory
		of D21 and/or D26 with the digital
		recording and editing system of D17
		to increase the audio channels that
		may be recorded or the transfer rate
		of existing channels.
		A digital audio logger designer of
		ordinary skill in the art, facing the
		wide range of needs created by

371 Claim	Prior Art Reference(s)	Invalidity Bases
3/1 Claim	Prior Art Reference(s)	developments in the field of digital audio loggers would have seen a benefit to incorporate the digital audio tape of D1 and/or and/or D12 and/or D14 and/or D18 with the system of D11 to allow archiving of data and/or to store the same type of data in the DRAM and the recorder unit and/or to obtain a duplicate recording that requires less hardware and/or to increase the audio channels that may be recorded or the transfer rate of existing channels.
		A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the buffer of D1 and/or D11 and/or D12 and/or D17 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate that exceeds the modem's capacity to process such data.  A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or D23 and the random access memory of D21 and/or
		D26 with the digital recording and editing system of D17 to increase the audio channels that may be recorded or the transfer rate of existing channels.
a random access storage device, and	D1: D4, NSDE008308, D9, Page 14, lines 9-25, NSDE008278, D10, NSDE008463.	
	D11: Col. 2, lines 32-36, Col. 17, lines 18-54.	
	D14: Col. 3, lines 17-27, Col. 2, lines 47-54.	
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D17: Page 15, Para. 3; Page 16, 1-4; Figure 4.	
	D26: JONESDAY0021219- JONESDAY0021224.	
a pair of pointers providing communication between said buffer and random storage device, the first of said pointers operative for transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.	D1: D9, Page 15, lines 12-23, Page 16, lines 8-19, Page 19, line 20 – Page 22, line 13; D3, Pages 2-3; D9: Page 15, lines 1-23; Page 24, lines 5-14; Page 31, lines 1-12; Page 47, 5-20.  D11: Col. 17, lines 30-54; Col. 2, lines 29-48.  D14: Col. 3, lines 17-27, Col. 5, lines 35-41, Col. 4, lines 33-35, Col. 6, lines 31-35.	It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D20 and/or D23 and/or 24 with the system of D11 and/or D17 and/or D18 and/or D21 and/or D22 to store and retrieve data efficiently and precisely while operating with a single buffer and reduce loss of data resulting from an excessive transfer rate.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.  D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 3, 4.  D18: Page 1385, Para. 4, Page 1387 Para. 2; Page 1388, Para. 2, 4.  D20: Col. 13, lines 36-41; col. 14, lines 24-34; col. 15, lines 30-47.  D22: LOOSABLLP 002366, line 14 – LOOSABLLP 002367, line 69.	A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the pair of pointers of D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D20 and/or D23 and/or 24 and/or D26 with the system of D11 and/or D17 and/or D18 and/or D21 and/or D22 to store and retrieve data efficiently and precisely while operating with a single buffer and reduce loss of data resulting from an
	D26: JONESDAY0021219- JONESDAY0021224.	excessive transfer rate.  This claim is invalid under 35 U.S.C.
8. An audio data storage device, comprising:	D1: D3, Page 3.  D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.  D17: Page 13, Para. 1.	§ 102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16
	D19: Page 1385, Para. 2.	and/or D22 and/or D26.
	D26: JONESDAY0021219- JONESDAY0021224.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D17 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D22 and/or D26.
a random access storage device having a primary partition for storing audio data and a secondary partition for storing means for locating data on said	D1: D5, Page 1; D2, Page 1; D3, Page 3; D8, Page 1; D9: Page 15, lines 1-23; Page 19, line 17 - Page 20, line 14; Page 24, lines 5-14; Page 31, lines 1-12; Page 46, lines 2-20; Page 47, 5-20,	It would have been obvious to incorporate the partitions of D1 and/or D15 and/or D18 and/or D20 and/or D24 and/or D26 with the system of D11 and/or D12 and/or

371 Claim	Prior Art Reference(s)	Invalidity Bases
primary partition and	Page 19, line 17 - Page 20, line 14;	D14 and/or D17 and/or to store and
F	D10, Pages 12-13.	retrieve data more efficiently and
A digital audio logger designer		precisely while operating with a
of ordinary skill in the art,	D11: Col. 17, lines 30-54; Col. 2, lines	single buffer and/or and reduce loss
facing the wide range of needs	29-48.	of data resulting from an excessive
created by developments in the	25-40.	transfer rate.
field of digital audio loggers	D14: Col. 3, lines 17-27, Col. 2, lines	Handra 1200.
would have seen a benefit to	47-54.	A digital audio logger designer of
incorporate	47-24.	ordinary skill in the art, facing the
Incorporate	D15: Col. 3, lines 25-29, Col. 3, lines	wide range of needs created by
	35-38, Col. 3, lines 51-53.	developments in the field of digital
	35.700, Col. 5, Ilica 51 55.	audio loggers would have seen a
	D17: Page 17, Para. 4; Page 18, Para.	benefit to incorporate the partitions of
	1-3, 5.	D1 and/or D15 and/or D18 and/or
	1-5, 5.	D20 and/or D24 and/or D26 with the
	D18: Page 1390, Para. 2-4.	system of D11 and/or D12 and/or
	D16. Fage 1390, Fala. 2-4.	D14 and/or D17 to store and retrieve
	D20: Col. 10, lines 36-40.	
	D20: Col. 10, lines 50-40.	data more efficiently and precisely
	D24. Dans 128 section 2.1	while operating with a single buffer and/or and reduce loss of data
	D24: Page 128, section 3.1.	• • • • • • • • • • • • • • • • • • • •
	D25, Dage 24.35	resulting from an excessive transfer
	D25: Page, 24-25.	rate.
	D26: JONESDAY0021219-	
	JONESDAY0021224.	
	JONESDA 1 0021224.	
a pair of pointers in	D1: D9, Page 15, lines 12-23, Page	It would have been obvious to one of
communication with said	1	ordinary skill in the art to incorporate
random access memory, a first	19, line 17 – Page 20, line 14, Page 18,	the pair of pointers of D16 and/or
of said pointers being operated	line 25 – Page 19, line 15; D10, Pages	D18 and/or D20 and/or D22 and/or
to transmit data to said random	12-13, Pages 15-16; D9: Page 15, lines	D26 with the system of D11 and/or
access storage device and the	1-23; Page 24, lines 5-14; Page 31,	D12 and/or D14 and/or D17 to
second of said pointers being	lines 1-12; Page 47, 5-20.	retrieve data efficiently and precisely
operative to retrieve audio data	D11. G1. 15 Enc. 20 54. G1. 2 Enc.	while operating with a single buffer
from said random access	D11: Col. 17, lines 30-54; Col. 2, lines	and to store and retrieve data
storage device.	29-48.	efficiently.
storage device.	714 G 1 A 11 15 A5 G 1 5 1	ernelently.
	D14: Col. 3, lines 17-27, Col. 5, lines	A digital audio logger designer of
	35-41, Col. 4, lines 33-35, Col. 6, lines	ordinary skill in the art, facing the
	31-35.	wide range of needs created by
	D16. G-1 d 15 25 20 G-1 d 15	developments in the field of digital
	D15: Col. 3, lines 25-29, Col. 3, lines	audio loggers would have seen a
	35-38, Col. 3, lines 51-53.	benefit to incorporate the pair of
	D16. Gal 2 Res 60 Gal 2 Res 01	pointers of D16 and/or D18 and/or
	D16: Col. 2, line 62 – Col. 3, line 21,	D20 and/or D22 and/or D26 with the
	Col. 4, lines 11-33.	system of D11 and/or D12 and/or
	D17. Day 1 Day 6 Day 15 D	D14 and/or D17 to retrieve data
	D17: Page 1, Para. 6; Page 15, Para.	efficiently and precisely while
	1; Page 17, Para. 4; Page 18, Para. 3, 4.	operating with a single buffer and to
	D10. D 1005 D 4 D 1005	store and retrieve data efficiently.
	D18: Page 1385, Para. 4, Page 1387	action and fourte to data efficiently.
	Para. 2; Page 1388, Para. 2, 4.	
	7000 Gal 12 limas 26 41; sel 14	
	D20: Col. 13, lines 36-41; col. 14,	
	lines 24-34; col. 15, lines 30-47.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D22: LOOSABLLP 002366, line 14 – LOOSABLLP 002367, line 69.	
	D24: Page 128, section 3; Page 129, section 6.1; Page 130, section 7.1.	
	D25: Page 23.	
	D26: JONESDAY0021219- JONESDAY0021224.	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Sale of Eyretel e1000, sold in the U.S. on or before October, 1992. See 30(b)(6) Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143.	
	D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)	
	D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	
	D4: U.S. Patent No. 5,724,738, to Daly et al., filed on December 31, 1991. (WSNSDE0008620-5)	
	D5: Digital Audio Tape For Data Storage, IBBE Spectrum, October, 1989. (WSNSDE0010785-9)	
	D6: Racal Rapidax, sold in the U.S. as of at least December 21, 1992.	
	D7: Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions. (NSDE008300-008302) (evidencing the hardware of the D6 sale).	
	D8: Rapidax Access Voice Logging Recorder. (NSDE008312-008319) (evidencing the hardware of the D6 sale).	
	D9: Rapidax Instant Call Recorder, (NSDE008305-008309) (illustrating the hardware of the D6 sale).	
	D10: Rapidax in Surveillance and Security Monitoring (NSDE008310-008311) (evidencing the hardware of the D6 sale).	
	D11: Operator s Manual. (NSDE008320-008324) (evidencing the hardware of the D6 sale).	
	D12: System Manager s Manual. (NSDE008325-008340) (evidencing the hardware of the D6 sale).	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D13: "Rapidax Tape Archive and System	
	Network." (NSDE008303-008304)	
	(evidencing the hardware of the D6 sale).	
	D14: Deposition of Andrew Jackson in	
	Dictaphone CorPage vs. Nice Systems,	
	Ltd., dated June 21, 2002, Civil Action	
	3:00CV1143. (NSDE008273-008299)	
	(evidencing the hardware of the D6 sale).	
	,	
	D15: Expert Report on the Invalidity of	
	U.S. Patent No. 5,396,371 in Dictaphone	
	CorPage vs. Nice Systems, Ltd., dated	
	June 21, 2002, Civil Action 3:00CV1143.	
·	(NSDE008447-008468)	
	(evidencing the hardware of the D6 sale).	
1. A modular digital	D1: D2 and D3.	Claim 1 is invalid under 35 U.S.C.
recording logger,		§102(b) as anticipated by D1
comprising:	D4: Col. 1, lines 28-58.	(evidenced by D1-D3).
	D6: D7, Pages 1-3; D9, Entire Document.	Claim 1 is invalid under 35 U.S.C.
		§102(b) as anticipated by D6
		(evidenced by D7-D15), and in the alternative under 35 U.S.C. §102(a) as
		anticipated by D6 (evidenced by D7-
		D15).
		Claim 1 is invalid under 35 U.S.C.
		§103 as obvious in view of D4 in
		combination with D1 and/or D5.
a housing;	D1: D2, and D3 Page 9.	
a nousing,	51, 52, and 53 1 ago >1	
	D4: Col. 2, lines 15-19, Col. 3, lines 28-	
	32.	
	DC DE B 1 2 D0 B 4 D0	
	D6: D7, Pages 1-3; D8, Page 4; D9,	
	Entire Document.	
at least two circuit modules	D1: D2, and D3 Pages 2-5.	
in said housing for		
converting analog voice	D4: Col. 1, lines 44-49 and lines 55-58;	
signals to digital voice	Col. 2, lines 4-10; Col. 3, lines 13-21;	
signals, each of said circuit	Col. 4, lines 3-6.	
modules including at least	D6, D7, Dage 2, D9, Dage 6	
two terminals for receiving	D6: D7, Page 2; D8, Page 6.	
said analog voice signals, each of said terminals being		
capable of receiving said		
analog voice signals for		
recording a two-way		
conversation;		

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
a circuit in said housing for	D1: D2, and D3 Page 6.	
compressing said digital voice signals received from each of said circuit modules	D4: Col. 2, line 65 Col. 3, line 2.	
to provide compressed voice data;	D6: D7, Page 2; D8, Page 6.	
a first bus in said housing for providing	D1: D2, and D3 Pages 2-7.	
communication between said circuit module and said compressing circuit;	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
compressing circuit,	D6: D7, Page 2; D8, Page 6.	
a multiplexer circuit in said housing for providing	D1: D2, and D3 Pages 2-7.	
communication between said compressing circuit and said first bus, wherein said	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
multiplexer circuit multiplexes voice signals	D6: D7, Pages 1-3, D8, Page 6.	
exchanged between said compressing circuit and said		
circuit modules on said first bus; and	,	
a digital audio tape (DAT) drive for storing said	D1: D2 and D3 Pages 2, 6-7, and 13-15.	The DAT in D1 is used to store compressed data. The DAT may be
compressed voice data.	D5: Entire Article.	used as backup storage to the host computer of D4, which "stores" data
	D6: D10, Page 1; D13, Page 2; D12, Pages 6-16; D9, Entire Document.	from the voice processing board. It would have been obvious to one of ordinary skill in the art to include the DAT of D1 in the system of D4 for the purpose of backup storage and archiving of digital data.
		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital recording loggers, would have seen a benefit to incorporate the DAT
		teaching of D1 with the teachings of D4 to provide backup storage and archiving of digital data.
		D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in
		the system of D4 for backup storage and archiving digital data.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital recording loggers, would have seen a benefit to incorporate the DAT teaching of D5 with the teachings of D4 to provide backup storage and archiving of digital data.
3. The modular digital recording logger of claim 1, further including a speaker in communication with at least one circuit module.	D1: D2 and D3 Pages 8-9. D6: D8, Page 7.	Claim 3 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 3 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).
4. The modular digital recording logger of claim 1, further comprising a hard disk drive in said housing for storing and reproducing said compressed voice data.	D1: D2, D3 pages 2, 11-16.  D4: Col. 2, lines 15-19; Col. 1, lines 55-58.  D6: D7, Pages 1-3; D8, Page 7; D9, Entire Document.	Claim 4 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 4 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 4 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1. See motivation to combine from Claim 1.
6. The modular digital recording logger of claim 1, wherein said first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Page 2; D8, Page 6.	Claim 6 is invalid under 35 U.S.C. \$102(b) as anticipated by D1.  Claim 6 is invalid under 35 U.S.C. \$102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. \$102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 6 is invalid under 35 U.S.C. \$103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.
11. A network system of modular digital recording loggers, comprising:	D1: D2, and D3 Pages 2, 17. D6: D7, Pages 1-3; D8, Pages 2-6; D9,	Claim 11 is invalid under 35 U.S.C. §102(b) as anticipated by D1.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	Entire Document.	Claim 11 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).
		Claim 11 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D5.
at least two digital recording loggers for logging voice conversations, each of said recording loggers comprising:	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6.	It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access to stored digital voice signals on remote computers or devices, as in D1.
		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the multiple digital voice processing systems of D4 with the teachings of D1 to permit access to stored digital voice signals on remote computers or devices.
a housing;	D1: D2, and D3 Page 9.	
	D4: Col. 2, lines 15-19, Col. 3, lines 28-32.	
	D6: D7, Pages 1-3; D8, Page 4; D9, Entire Document.	
a circuit in said housing for converting analog voice signals to and from digital voice signals, said circuit modules including at least two terminals for receiving said analog voice signals, and wherein each of said terminals is capable of receiving said analog voice signals for recording a two-way conversation,	D1: D2, and D3 Pages 2-5.  D4: FIG. 1; Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-21; Col. 4, lines 3-6.  D6: D7, Page 2; D8, Page 6.	
a circuit in said housing for compressing said digital	D1: D2, and D3 Page 6.	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
voice signals received from each of said circuit modules to provide compressed voice data,	D4: Col. 2, line 65 Col. 3, line 2. D6: D7, Page 2; D8, Page 6.	
a first bus in said housing for providing communication between said circuit module and said compressing circuit,	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Pages 1-3, D8, Page 6.  D1: D2, and D3 Pages 2-7.	·
housing for providing communication between said compressing circuit and said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus,	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Pages 1-3, D8, Page 6.	
a digital audio tape (DAT) drive for storing said compressed voice data,	D1: D2 and D3 Pages 2, 6-7, and 13-15.  D5: Entire Article.  D6: D10, Page 1; D13, Page 2; D12, Pages 6-16; D9, Entire Document.	D1 teaches a DAT drive for use in the system of D4. The DAT in D1 is used to store compressed data. The DAT may be used as backup storage to the host computer, which "stores" data from the voice processing board. It would have been obvious to one of ordinary skill in the art to include the DAT of D1 in the system of D4 for backup storage and archiving digital data.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the DAT teaching of D1 with the teachings of D4 to provide backup storage and archiving of digital data.  D5 discloses the use and advantages of DAT as high density storage for backing up voice data. It would have been obvious to one of ordinary skill in the art to include the DAT of D5 in the system of D4 for backup storage and archiving digital data.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
,		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the DAT teaching of D5 with the teachings of D4 to provide backup storage and archiving of digital data.
a hard disk drive in said housing for storing and reproducing said compressed voice data,	D1: D2, D3 pages 2, 11-16.  D4: Col. 2, lines 15-19; Col. 1, lines 55-58.  D6: D7, Pages 1-3; D8, Page 7; D9, Entire Document.	
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	D1: D2 and D3 Pages 2, 6-7, and 11-15.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16; D9, Entire Document.	
a second bus in said housing for connecting said computer to said hard disk drive and said DAT drive;	D1: D2 and D3 Pages 2, 6-7, and 11-15.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D9, Entire Document.	One or more buses may be added to D4 to communicate with the DAT in addition to the hard disk drive, which is a matter of design choice. It would have been obvious to one of ordinary skill in the art to use a single bus to reduce the number of communication channels required to supply digital data to the DAT and hard disk, as in D1.
		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate a single bus with the teachings of D4 to reduce the number of communication channels required to supply digital data to the DAT and hard disk.
a second computer for processing compressed digital voice signals received from each of said recording loggers; and	D1: D2 and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, to permit computer access to stored digital voice signals, and to permit remote access of digital voice

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		signals from a single location.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the connection of multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.
a third bus connecting each of said recording loggers to said second computer.	D1: D2 and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the connection of multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.
13. The network system of claim 11, wherein said third bus is a local area network (LAN) bus.	D1: D2, D3 Pages 2, I2-17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 13 is invalid under 35 U.S.C. §102(b) as anticipated by D1 and/or D6, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1 and/or D6.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN would have been obvious to one of ordinary skill in the art as a matter of design choice.  A digital recording logger designer of

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate a LAN, as in D6, with the teachings of D1 to permit computer connectivity.
15. The network system of claim 11, wherein said first bus is a time division multiplexed (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1, Col. 2, line 58 to Col. 3, line 8.  D6: D7, Pages 1-3; D8, Page 6.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 15 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1. See motivation to combine from Claim 11.
20. The network system of claim 11, wherein said second computer is a workstation.	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 20 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 20 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1.  It would have been obvious to one of ordinary skill in the art utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices, as in D1, to permit a distributed system of recorders.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit a distributed system of recorders to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		Claim 20 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).
21. The network system of claim 11, further comprising a speaker in communication with said second computer for reproducing said analog voice signals.	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 21 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 21 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1.  It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices, as in D1, to permit a distributed system of recorders.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit a distributed system of recorders to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices.  Claim 21 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).

570 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079, priority date of Aug. 10, 1990, and issue date of Sep. 10, 1991. (WSNSDE0003251-72) D1 discloses a method and apparatus for matching call records with corresponding PBX data using a probability factor.	
	D2: U.S. Patent No. 6,002,753, priority date of Oct. 5, 1994, and issue date of Dec. 14, 1999. (WSNSDE0005882-925) D2 discloses an apparatus and method for exchanging telephone call information between two computers.	
	D3: U.S. Patent No. 5,559,875, priority date of Jul. 31, 1995, and issue date of Sep. 24, 1996.(WSNSDE0004992-5027) D3 discloses a method and apparatus for recording and playback of audio conferences.	
	D4: U.S. Patent No. 5,982, 857, priority date of Oct. 17, 1994, and issue date of Nov. 9, 1999. (WSNSDE0005823-37) D4 discloses a system and method for recording and playback of telephone calls.	
	D5: Blue Cross Blue Shield Eclipse Integration, sold or offered for sale in the U.S. before June 8, 1999.	
	D6: Blue Cross Blue Shield User Guide dated January 29, 1997 (illustrating system of D5) (WSNSDE0012983-92)	
	D7: Application Development Guide - Blue Cross / Blue Shield Eclipse Project Eclipse Modification and Design dated November 25, 1997 (illustrating system of D5) (WSNSDE0012967-82).	
	D8: Tracking Agent Id through Inter-Site Call Transfers	

570 Claim	Prior Art Reference(s)	Invalidity Bases
	(illustrating the system of D5) (WSNSDE0012993-4).	
	D9: "E1000 for Windows User Guide" dated July 1997 (illustrating the system of the D5) (WSNSDE0011276-346).	
	D10: Equiserve Recording Proposal presented in the U.S. on May 5, 1999, which before June 8, 1999. (WSNSDE013106)	
	D11: "E-Ware Replay-User Guide" dated November 1998 (illustrating the system of D5 and D10) (WSNSDE011798- 844).	
	D12: "Unify System Managers Guide" dated August 1996 (illustrating the system of D10) (WANSDE012044-70).	
	D13: Cannon MediaStore/Unify/Eware Integration, sold in U.S. before June 8, 1998.	
	D14: "Proposal for a Quality Monitoring / Agent Evaluation System," dated 8/20/98 (illustrating system of D13) (WSNSDE013060-66).	
	D15: "Cannon ITS Technology Services Incorporated Quality Monitoring Functionality Design," dated 11/18/98 (illustrating system of D13) (WSNSDE013035-59).	
	D16: State Farm B1000/Unify/Eware Integration, sold in U.S. more than one year before June 8, 1999.	
	D17: State Farm Site Documentation (illustrating system of D16 as of 10/10/97) WSNSDE013162-71)	
	D18: Report to the Board of Directors, June 1997 (describing	

570 Claim	Prior Art Reference(s)	Invalidity Bases
	agreement to sell system to D16	
	in sec. 4.8)	
	(WSNSDEPROD4817005-7).	

570 Claim	Prior Art Reference(s)	Invalidity Bases
6. A method for recording information regarding telephone calls comprising one or more		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
segments, comprising:		This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
		This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		D1 and D2 teach storing various types of telephony data. D3 and D4 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2 could be stored in the data storage systems disclosed in D3 and/or D4. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.
		Furthermore, one of skill in the art would recognize that the similarities in the teachings of D1 and D2, as well as the similarities in the teachings of D3 and D4, allow for the combination of D1 and D2, as well as the combination of D3 and D4. The motivation for these combinations would be to provide interoperability between the similar systems disclosed in these references.
		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen a benefit to storing the types of data disclosed in D1 and/or D2 in the data storage systems disclosed in D3 and/or D4.
	- 4 -	A call recording systems designer of ordinary skill in the art, facing the wide range of

570 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data	D3, col. 2, II. 1-15; col. 3, II. 58-	
regarding one or more telephone	62; col. 4., Il. 35-63.	
call segments relating to one or more telephone calls,	D4, col. 3, Il. 30-54; col. 4, Il. 16-66; col. 4 In. 66 col. 5 In. 13.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
and data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for
	D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	this combination is provided above.
	D3, col. 4, II. 35-52.	A call recording systems designer of ordinary skill in the art, facing the wide range of
	D4, col. 4 ln. 66 col. 5 ln. 13.	needs created by developments in the field of endeavor, would
	D5: D7, pp. 4-7; D9, pg. 2-1	have seen the benefits described above.
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(b) storing the received audio	D3, col. 2, II. 1-15; col. 3, II. 58-	
data regarding telephone call	62; col. 4., Il. 53-63.	
segments;	D4, col. 3, II. 30-54; col. 4, II. 16-66.	
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 – 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
,	D16: D17, pp. 1-10; D18, pp. 1-3.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(c) storing the received data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided above.  A call recording systems
	D3, col. 4, II. 35-52.	designer of ordinary skill in the art, facing the wide range of
	D4, col. 4 ln. 66 – col. 5 ln. 13.	needs created by developments in the field of endeavor, would
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.	have seen the benefits described above.
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(d) identifying telephone call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to one	62 – col. 4 ln. 17; col. 7, Il. 38-	one of ordinary skill in the art to
telephone call; and	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided above.
	D2, col. 5, Il. 6-32; col. 22, Il.	above.
	18-21; col. 22, II. 52-56; col. 25,	A call recording systems
	II. 18-29.	designer of ordinary skill in the
		art, facing the wide range of
	D3, col. 5, ln. 30 – col. 6, ln. 6;	needs created by developments
	col. 9, II. 9-58.	in the field of endeavor, would
		have seen the benefits described
	D4, col. 5 ll. 14-33.	above.
	D5: D7, pp. 5, 10-12; D9, pp. 2-	
	1, 2-12 – 2-25.	
	1,2 .2 - 2.0.	
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: 1 1 2 5	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(e) constructing a data	D1, col. 2, 1l. 22-34; col. 3, ln.	It would have been obvious to
representation of a lifetime of	62 – col. 4 ln. 17; col. 7, Il. 38-	one of ordinary skill in the art to
the telephone call using data	47; col. 11, 11. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
regarding telephony events	41 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
associated with the telephone	27-60.	this combination is provided
call segments of the telephone		above.
call, wherein said data	D2, col. 5, Il. 6-32; col. 22, Il.	
representation comprises, for	18-21; col. 22, II. 52-56; col. 25,	A call recording systems
each segment of the call, the	Ц. 18-29.	designer of ordinary skill in the
location of the stored audio data	D2 and 4 11 25 50; and 5 in	art, facing the wide range of needs created by developments
of that segment and the start	D3, col. 4, 11. 35-52; col. 5, 1n. 30 – col. 6, 1n. 6; col. 9, 11. 9-58;	in the field of endeavor, would
time, end time, and duration of that segment.	col. 9, ln. 60 – col. 11, ln. 34.	have seen the benefits described
mai segment.	Cor. 7, m. 00 – cor. 11, m. 54.	above.
	D4, col. 5 Il. 14-33.	ubo ( <b>o</b> .
	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 - 2-25.	
	D10: D10; D11: pp 2-7 – 2- 12; D12: pp. 1-1, 2-1.	
	D11: pp 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
7. A method for recording		This claim is invalid under 35
information regarding telephone		U.S.C. §102(b) as anticipated by
calls comprising one or more		D3.
segments, comprising:		
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		or by in dombination will by
		The motivation for these
	<i>'</i>	combination can be found in
		Claim 6, above.
	·	A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would have seen the benefits described
		in Claim 6, above.
		in Claim o, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		mate states to the latter of the de-
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D11.
		D11.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D12.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

570 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data regarding one or more telephone	D3, col. 2, II. 1-15; col. 3, II. 58-62; col. 4., II. 35-63.	
call segments relating to one or more telephone calls,	D4, col. 3, Il. 30-54; col. 4, Il. 16-66.	
	D5: D7, pp. 4-7; D9, pg. 2-1	:
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
and data regarding telephony events associated with said telephone call segments, wherein the data regarding telephony events is received from a plurality of sources connected to a telephone switching environment, wherein at least one of the sources is a real time link and at least one of the sources is not a real time link;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.  D2, col. 5, ll. 6-32; col. 22, ll. 18-21; col. 22, ll. 52-56; col. 25, ll. 18-29.  D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63, col. 7, ll. 7-53.  D4, col. 4 ln. 66 – col. 5 ln. 13.  D5: D7, pp. 4-7; D9, pg. 2-1  D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.  D11: pp. 1-1, 2-1.  D12: pp. 1-1, 2-1.  D13: D14, pp. 1-7; D15, pp. 1-25.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for this combination is provided in Claim 6, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in Claim 6, above.
	D16: D17, pp. 1-10; D18, pp. 1-3.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(b) storing the received audio data regarding telephone call segments;	D3, col. 2, Il. 1-15; col. 3, Il. 58-62; col. 4., Il. 53-63.	
	D4, col. 3, Il. 30-54; col. 4, Il. 16-66.	
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 – 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(c) storing the received data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for
can segments,	D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	this combination is provided in Claim 6, above.
	D3, col. 4, li. 35-52.	A call recording systems designer of ordinary skill in the art, facing the wide range of
	D4, col. 4 ln. 66 – col. 5 ln. 13.	needs created by developments in the field of endeavor, would
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.	have seen the benefits described in Claim 6, above.
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

570 Claim	Prior Art Reference(s)	Invalidity Bases
(d) identifying telephone call	D1, col. 2, 11. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to one	62 – col. 4 ln. 17; col. 7, II. 38-	one of ordinary skill in the art to
telephone call; and	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 – col. 14, ln. 59; col. 15, II.	and/or D4. The motivation for
,	27-60.	this combination is provided in
	D0 1 5 11 6 201 20 11	Claim 6, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	A call recording systems
	18-21; col. 22, II. 52-56; col. 25, II. 18-29.	designer of ordinary skill in the
	п. 16-29.	art, facing the wide range of
	D3, col. 5, ln. 30 – col. 6, ln. 6;	needs created by developments
	col. 9, 11. 9-58.	in the field of endeavor, would
	33.7, 2.7	have seen the benefits described
	D4, col. 511. 14-33.	in Claim 6, above.
	D5: D7, pp. 5, 10-12; D9, pp. 2-	
	1, 2-12 – 2-25.	
	D10 D10 D11 0.7 0	
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D11. pp. 2 / 2 12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	·

345 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079,	
	priority date of Aug. 10, 1990,	
	and issue date of Sep. 10, 1991.	
	(WSNSDE0003251-72) D1	
	discloses a method and apparatus	
	for matching call records with	
	corresponding PBX data using a	
	probability factor.	
	D2: U.S. Patent No. 6,002,753,	
	priority date of Oct. 5, 1994, and	
	issue date of Dec. 14, 1999.	
	(WSNSDE0005882-925) D2	
	discloses an apparatus and	
	method for exchanging	
	telephone call information	
	between two computers.	
	D3: U.S. Patent No. 5,559,875,	·
	priority date of Jul. 31, 1995,	
	and issue date of Sep. 24, 1996.	
	(WSNSDE0004992-5027) D3	- i
	discloses a method and apparatus	
	for recording and playback of	
	audio conferences.	
	D4: U.S. Patent No. 5,982, 857,	
	priority date of Oct. 17, 1994,	
	and issue date of Nov. 9, 1999.	
	(WSNSDE0005823-37) D4	
	discloses a system and method	
	for recording and playback of	
	telephone calls.	
	wiephone eans.	
	D5: Blue Cross Blue Shield	
	Eclipse Integration, sold or	
	offered for sale in the U.S.	
	before June 8, 1999.	
	D6: Blue Cross Blue Shield	
	User Guide dated January 29,	
	1997 (illustrating system of D5)	
	(WSNSDB0012983-92)	
	D7: Application Development	
	D7: Application Development Guide - Blue Cross / Blue Shield	
	Eclipse Project Eclipse	
	Modification and Design dated	
	November 25, 1997 (illustrating	·
	system of D5)	
	(WSNSDE0012967-82).	
	(11,02,02,00,00,00,00,00,00,00,00,00,00,00,	
	D8: Tracking Agent Id through	
	Inter-Site Call Transfers	

345 Claim	Prior Art Reference(s)	Invalidity Bases
	(illustrating the system of D5) (WSNSDE0012993-4).	
	D9: "E1000 for Windows User Guide" dated July 1997 (illustrating the system of the D5) (WSNSDE0011276-346).	
	D10: Equiserve Recording Proposal presented in the U.S. on May 5, 1999, which before June 8, 1999. (WSNSDE013106)	
	D11: "E-Ware Replay-User Guide" dated November 1998 (illustrating the system of D5 and D10) (WSNSDE011798- 844).	
	D12: "Unify System Managers Guide" dated August 1996 (illustrating the system of D10) (WANSDE012044-70).	
	D13: Cannon MediaStore/Unify/Eware Integration, sold in U.S. before June 8, 1998.	
	D14: "Proposal for a Quality Monitoring / Agent Evaluation System," dated 8/20/98 (illustrating system of D13) (WSNSDE013060-66).	
	D15: "Cannon ITS Technology Services Incorporated Quality Monitoring Functionality Design," dated 11/18/98 (illustrating system of D13) (WSNSDE013035-59).	
	D16: State Farm B1000/Unify/Eware Integration, sold in U.S. more than one year before June 8, 1999.	
	D17: State Farm Site Documentation (illustrating system of D16 as of 10/10/97) WSNSDE013162-71).	
	D18: Report to the Board of	

345 Claim	Prior Art Reference(s)	Invalidity Bases
	Directors, June 1997 (describing	
	agreement to sell system to D16	
	in sec. 4.8)	
	(WSNSDEPROD4817005-7).	

14. A method for recording information regarding telephone calls with three or more participants and comprising one or more participants and comprising one or more participants and comprising one or more participants and comprising one or more telephone call segments, comprising:  This claim is invalid under 35 U.S.C. \$102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4 and D2 teach storing various types of telephony data. D3 and D4 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.  Purthermore, one of skill in the art would recognize that the similarities in the teachings of D1 and D2, as well as the similarities in the teachings of D3 and D4, allow for the combination of D5 and D4, allow for the combination of D6 and D7, as well as the similarities in the teachings of D3 and D4, allow for the combination of D6 and D7, as well as the similarities of D1 and D2, as well as the combination of D6 and D7,	345 Claim	Prior Art Reference(s)	Invalidity Bases
ealls with three or more participants and comprising one or more participants and comprising one or more telephone call segments, comprising:  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  D1 and D2 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2 could be stored in the data storage systems disclosed in D3 and/or D4. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.  Furthermore, one of skill in the art would recognize that the similarities in the teachings of D3 and D4, allow for the combination of D1 and D2, as well as the similarities in the teachings of D3 and D4, allow for the combination of D1 and D2, as well as the references.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen a benefit to storing the			
participants and comprising one or more participants and comprising one or more telephone call segments, comprising:  This claim is invalid under 35 U.S.C. § 10.3 so obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 10.3 so obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 10.3 as obvious in view of D3 in combination with D4.  D1 and D2 teach storing various types of telephony data. D3 and D4 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2 could be stored in the data storage systems disclosed in D3 and/or D4. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.  Furthermore, one of skill in the art would recognize that the similarities in the teachings of D3 and D4, allow for the combination of D1 and D2, as well as the combination of D1 and D2, as well as the combination of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the combination of D3 and D4. The motivation for these combination of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated of D1 and D2, as well as the estimated by D1 and D2, as well as the estimated by D1 and D2, as well as the estimated by D1 and D2, as well as the estimated by D1 and D2 and D3 and D4 allow for the combination of D3 and D4, allow for the combination of D3 and D4, allow for the combination of D3 and D4, allow for the combination of D3 and D4, allow for the combination of D3 and D4, allow for th	,		` ` *
or more participants and comprising one or more telephone call segments, comprising:  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  D1 and D2 teach storing various types of telephony data. D3 and D4 teach storing audio segments with associated data. One of skill in the art would recognize the types of data disclosed in D1 and/or D2 could be stored in the data storing systems disclosed in D3 and/or D4. The motivation for this combination can be found in the references themselves, which teach the desirability of maintaining data associated with audio segments.  Furthermore, one of skill in the art would recognize that the similarities in the teachings of D3 and D4, allow for the combination of D1 and D2, as well as the combination of D1 and D2, as well as the combination of D3 and D4, allow for the combination of D3 and D4. The motivation for these combinations would be to provide interoperability between the similar systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen a benefit to storing the	I .		D3.
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345 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data regarding one or more telephone call segments;	D3, col. 2, li. 1-15; col. 3, li. 58-62; col. 4., li. 53-63.	
can acginents,	D4, col. 3, II. 30-54; col. 4, II. 16-66.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(b) receiving data regarding telephony events associated with said telephone call segments;	D1, col. 3, ln. 62 col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for
	D2, col. 5, II. 6-32; col. 22, II. 18-21; col. 22, II. 52-56; col. 25, II. 18-29.	this combination is provided above.
	D3, col. 4, II. 35-52.	A call recording systems designer of ordinary skill in the art, facing the wide range of
	D4, col. 4 ln. 66 col. 5 ln. 13.	needs created by developments in the field of endeavor, would
	D5: D7, pp. 4-7; D9, pp. 2-1, 2-12-2-25.	have seen the benefits described above.
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(c) storing the received audio data regarding telephone call	D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.	
segments;	D4, col. 3, ll. 30-54; col. 4, ll. 16-66.	
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(d) storing the received data regarding telephone events associated with said telephone	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3
call segments;	D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.	and/or D4. The motivation for this combination is provided above.
	D3, col. 4, II. 35-52.	A call recording systems designer of ordinary skill in the art, facing the wide range of
	D4, col. 4 in. 66 – col. 5 in. 13.	needs created by developments in the field of endeavor, would
·	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 2-25.	have seen the benefits described above.
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(e) identifying telephone call	D1, col. 2, 1l. 22-34; col. 3, ln.	It would have been obvious to
segments that relate to the same	62 – col. 4 ln. 17; col. 7, Il. 38-	one of ordinary skill in the art to
telephone call; and	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
-	41 – col. 14, ln. 59; col. 15, II.	and/or D4. The motivation for
	27-60.	this combination is provided
		above.
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, 11. 9-58.	A call recording systems
	D4, col. 5 II. 14-33.	designer of ordinary skill in the art, facing the wide range of
	Dr Da - r 10 10 D0 - 0	needs created by developments
	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 – 2-25.	in the field of endeavor, would have seen the benefits described above.
	D10: D10; D11: pp 2-7 – 2- 12; D12: pp. 1-1, 2-1.	аво ус.
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(f) constructing data representations of lifetimes of	D1, col. 2, Il. 22-34; col. 3, In. 62 – col. 4 In. 17; col. 7, Il. 27-	It would have been obvious to one of ordinary skill in the art to
telephone calls, wherein said	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
data representations are	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
constructed using data regarding	27-60.	this combination is provided above.
telephony events associated with	D3, col. 5, ln. 30 – col. 6, ln. 6;	above.
telephone call segments.	col. 9, II. 9-58; col. 9, In. 60 –	A call recording systems
	col. 11, In. 34.	designer of ordinary skill in the art, facing the wide range of
	D4, col. 5 II. 14-33.	needs created by developments in the field of endeavor, would
·	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 - 2-25.	have seen the benefits described above.
	D10: D10; D11: pp 2-7 – 2- 12; D12: pp. 1-1, 2-1.	
	D11: pp 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
15. The method of claim 14 wherein each data representation of a telephone call comprises: (i) a list of participants in the	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event	D2, col. 5, II. 6-32; col. 22, II. 18-21; col. 22, II. 52-56; col. 25, II. 18-29.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
occurred; and (iv) the start and end time of the call.	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58; col. 9, ln. 60 – col. 11, ln. 34.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
	D4, col. 5 II. 14-33.	This claim is invalid under 35
	D5: D7, pp. 5-7, 10-12.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D10: D10; D11: pg. 2-9; D12: pp. 1-1, 2-1.	The motivation for these
	D11: pg. 2-9.	combination can be found in Claim 14, above.
	D13: D14, pp. 1-7; D15, pp. 1-25.	A call recording systems designer of ordinary skill in the
	D16: D17, pp. 1-10; D18, pp. 1-3.	art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
21. The method of claim 14	D2, col. 4 In. 59 – col. 5 In. 5.	This claim is invalid under 35
wherein data regarding telephony events is received from a plurality of sources	D3, Fig. 1.	U.S.C. §102(b) as anticipated by D3.
connected to a telephone switching environment.	D4, Fig. 6.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
	D5: D7, pg. 5.	D4.
	D10: D10; D11: pg. 2-9; D12: pp. 1-1, 2-1.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination
	D11: D11: pg. 2-9.	with D3 and/or D4.
	D13: D14, pp. 1-7; D15, pp. 1-25.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	The motivation for these combination can be found in Claim 14, above.
		A call recording systems designer of ordinary skill in the
		art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
	:	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
22. The method of claim 14	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of	-	U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., ln. 60 – col. 11, ln.	
graphical representation of the	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-3.	Claim 14, above.
		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
23. The method of claim 15	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of	<del>-</del>	U.S.C. §102(b) as anticipated by
using said data representation of	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
a telephone call to display a	14; col. 9., In. 60 – col. 11, In.	
graphical representation of the	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	·
	25.	The motivation for these combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-3.	Claim 14, above.
	~ <sup>3</sup> ,	A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
24. The method of claim 23	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment	14; col. 9., In. 60 – col. 11, In.	
of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
	1	This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these
		combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-	Claim 14, above.
	3.	
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		mar I I I I I I I I I I I I I I I I I I I
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		miss at a succession of the control of
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This alaim is invalid and a 25
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This alaim is invalid under 25
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
25. The method of claim 23	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., In. 60 – col. 11, In.	
time of each segment of the call.	22.	This claim is invalid under 35
_		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-	Claim 14, above.
	3.	A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
26. The method of claim 22	D1, col. 15, 11. 27-60.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the data		·
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
	14; col. 9., In. 60 – col. 11, In.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination with D3 and/or D4.
	D5: D11: pg. 2-9	
		This claim is invalid under 35
	D10: D10; D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D11: pg. 2-9.	
		The motivation for these
	D13: D14, pp. 1-7; D15, pp. 1-25.	combination can be found in Claim 14, above.
	D16: D17, pp. 1-10; D18, pp. 1-	A call recording systems
	3.	designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		-
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

40. A method for recording information regarding telephone calls comprising one or more telephone call segments, wherein said calls comprise calls wherein at least one participant participant participant participants in a plurality of segments, comprising:  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.	345 Claim	Prior Art Reference(s)	Invalidity Bases
calis comprising one or more telephone call segments, wherein said calls comprise calls wherein at least one participant participates in a plurality of segments, comprising:  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as obvious in view of D3 in combination with D4 are motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. § 102(c) as anticipated by D12.			This claim is invalid under 35
telephone call segments, wherein said calls comprise calls wherein at least one participant participant participates in a plurality of segments, comprising:  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D12.			_ , , ~ ,
said calls comprise calls wherein at least one participant participates in a plurality of segments, comprising:  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D12.			D3.
at least one participant participates in a plurality of segments, comprising:  U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(c) as anticipated by D12.			This claim is invalid under 35
participates in a plurality of segments, comprising:  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D11.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b D12.			
segments, comprising:  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. \$103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. \$102(b) as anticipated by D11.			
This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.			
of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D112.			
with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.			<u> </u>
This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			l .
U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			William Da Mildy Of 25 1:
of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			This claim is invalid under 35
The motivation for these combination can be found in Ciaim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			1 -
combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			of D3 in combination with D4.
combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			The motivation for these
Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			
A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			1
designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.			
art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			
needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			
in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			
in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b D12.			
This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			have seen the benefits described
U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			in claim 14, above.
U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.		•	This claim is invalid under 35
This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			
U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			
U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			mile at the testing the transfer of a
D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			1
This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			1
U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D12.			
D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b			
This claim is invalid under 35 U.S.C. §102(b) as anticipated b D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b			
U.S.C. §102(b) as anticipated b. D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b. D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b.			D10.
D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated b D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b			This claim is invalid under 35
This claim is invalid under 35 U.S.C. §102(b) as anticipated b D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b			U.S.C. §102(b) as anticipated by
U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by			D11.
U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by			This slaim is invalid under 25
D12.  This claim is invalid under 35 U.S.C. §102(a) as anticipated b			
U.S.C. §102(a) as anticipated b			
U.S.C. §102(a) as anticipated b			
			1 '
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			1
			D13.
This claim is invalid under 35			This claim is invalid under 35
U.S.C. §102(b) as anticipated b			U.S.C. §102(b) as anticipated by
D16.			D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
(a) receiving audio data regarding one or more telephone call segments	D3, col. 2, Il. 1-15; col. 3, Il. 58-62; col. 4., Il. 53-63.	
	D4, col. 3, II. 30-54; col. 4, II. 16-66.	
	D5: D7, pp. 4-7; D9, pg. 2-1	
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-I.	
	D12: pp. 1-1, 2-1.	
	D13; D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
and data regarding telephone events associated with said telephone call segments;	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3 and/or D4. The motivation for
	D2, col. 5, II. 6-32; col. 22, II. 18-21; col. 22, II. 52-56; col. 25, II. 18-29.	this combination is provided in Claim 14, above.
	D3, col. 4, II. 35-52.	A call recording systems designer of ordinary skill in the art, facing the wide range of
	D4, col. 4 ln. 66 – col. 5 ln. 13.	needs created by developments in the field of endeavor, would
	D5: D7, pp. 4-7; D9, pg. 2-1	have seen the benefits described in claim 14, above.
	D10: D10; D11: pp. 1-1, 2-1; D12: pp. 1-1, 2-1.	
	D11: pp. 1-1, 2-1.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(b) storing the received audio data regarding telephone call segments;	D3, col. 2, ll. 1-15; col. 3, ll. 58-62; col. 4., ll. 53-63.	
	D4, col. 3, ll. 30-54; col. 4, ll. 16-66.	,
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.	
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(c) storing the received data regarding telephony events associated with said telephone	D1, col. 3, ln. 62 – col. 4 ln. 17; col. 7, ll. 27-62; col. 13 ll. 19-25; col. 15, ll. 27-60.	It would have been obvious to one of ordinary skill in the art to combine D1 and/or D2 with D3
call segments;	D2, col. 5, II. 6-32; col. 22, II. 18-21; col. 22, II. 52-56; col. 25, II. 18-29.	and/or D4. The motivation for this combination is provided in Claim 14, above.
•	D3, col. 4, ll. 35-52.	A call recording systems designer of ordinary skill in the
	D4, col. 4 ln. 66 – col. 5 ln. 13.	art, facing the wide range of needs created by developments in the field of endeavor, would
	D5: D7, pp. 4-12; D9, pp. 2-1, 2-12 - 2-25.	have seen the benefits described in claim 14, above.
	D10: D10; D11: pp. 2-7 – 2-12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
	D12; pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

345 Claim	Prior Art Reference(s)	Invalidity Bases
(d) identifying telephone call	D1, col. 2, II. 22-34; col. 3, In.	It would have been obvious to
segments that relate to one	62 – col. 4 ln. 17; col. 7, II. 38-	one of ordinary skill in the art to
telephone call;	47; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	41 – col. 14, ln. 59; col. 15, II.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 14, above.
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	A golf regarding quaterns
	CGI. 9, H. 9-36.	A call recording systems designer of ordinary skill in the
	D4, col. 5 Il. 14-33.	art, facing the wide range of
	,	needs created by developments
	D5: D7, pp. 5, 10-12; D9, pp. 2-	in the field of endeavor, would
	1, 2-12 – 2-25.	have seen the benefits described
	D10 D10 D11 0.7 0	in claim 14, above.
	D10: D10; D11: pp 2-7 – 2-	
	12; D12: pp. 1-1, 2-1.	
	D11: pp. 2-7 – 2-12.	
3	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	
(e) identifying multiple call	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
segments that have the same participant; and	62 - col. 4 ln. 17; col. 7, II. 38- 47; col. 11, II. 34-47; col. 13, ln.	one of ordinary skill in the art to combine D1 and/or D2 with D3
participant, and	41 – col. 14, In. 59; col. 15, II.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 14, above.
	D3, col. 5, ln. 30 – col. 6, ln. 6;	
	col. 9, II. 9-58; col. 9, In. 60 –	A call recording systems
	col. 11, In. 34.	designer of ordinary skill in the art, facing the wide range of
	D4, col. 5 ll. 14-33.	needs created by developments
	, Jon 5 III 1 + 35.	in the field of endeavor, would
	D5: D7, pp. 5, 10-12; D9, pp. 2-	have seen the benefits described
	1, 2-12 – 2-25.	in claim 14, above.
	D10. D10. D11 2.7. 2	Translation of the second
	D10: D10; D11: pp 2-7 – 2- 12; D12: pp. 1-1, 2-1.	It would have been obvious to one of ordinary skill in the art to
	Λε, ωτε. pp. 1-1, ε-λ.	combine D3 and D4. The
	D11: pp. 2-7 – 2-12.	motivation for this combination
		is provided in Claim 14, above.
	D12: pp. 1-1, 2-1.	
	D12-D14 - 12-D15	A call recording systems
	D13: D14, pp. 1-7; D15, pp. 1-	designer of ordinary skill in the
	25.	art, facing the wide range of needs created by developments
	D16: D17, pp. 1-10; D18, pp. 1-	in the field of endeavor, would
	3.	have seen the benefits described
		in claim 14, above.

Prior Art Reference(s)	Invalidity Bases
	It would have been obvious to
	one of ordinary skill in the art to
	combine D1 and/or D2 with D3
•	and/or D4. The motivation for
27-60.	this combination is provided in
	Claim 14, above.
	A call recording systems
col. 11, ln. 34.	designer of ordinary skill in the
21 1 7 11 14 22	art, facing the wide range of
D4, col. 5 II. 14-33.	needs created by developments
75 P2 5 10 10 P0 0	in the field of endeavor, would have seen the benefits described
	in claim 14, above.
1, 2-12 – 2-23.	ili ciami 14, above.
D10: D10: D11: nn 2-7 - 2-	
1	
12, 212. pp. 1 1, 2 1.	
D11: pp 2-7 – 2-12.	
D12: pp. 1-1, 2-1.	
D12 D14 17 D15 - 1	
۷٠٠.	
D16: D17 pp 1-10: D18 pp 1-	
3.	
	D1, col. 2, II. 22-34; col. 3, In. 62 – col. 4 In. 17; col. 7, II. 27-62; col. 11, II. 34-47; col. 13, In. 19 – col. 14, In. 59; col. 15, II. 27-60.  D3, col. 5, In. 30 – col. 6, In. 6; col. 9, II. 9-58; col. 9, In. 60 – col. 11, In. 34.  D4, col. 5 II. 14-33.  D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 – 2-25.  D10: D10; D11: pp 2-7 – 2-12; D12: pp. 1-1, 2-1.  D11: pp 2-7 – 2-12.  D12: pp. 1-1, 2-1.  D13: D14, pp. 1-7; D15, pp. 1-25.  D16: D17, pp. 1-10; D18, pp. 1-

345 Claim	Prior Art Reference(s)	Invalidity Bases
345 Claim  41. The method of claim 40 wherein a data representation of a telephone call comprises: (i) a list of participants in the telephone call; (ii) a list of telephony events regarding the call; (iii) a list containing the time each telephony event occurred; and (iv) the start and end time of the call.	Prior Art Reference(s) D1, col. 2, Il. 22-34; col. 3, In. 62 – col. 4 In. 17; col. 7, Il. 27-62; col. 11, Il. 34-47; col. 13, In. 19 – col. 14, In. 59; col. 15, Il. 27-60.  D2, col. 5, Il. 6-32; col. 22, Il. 18-21; col. 22, Il. 52-56; col. 25, Il. 18-29.  D3, col. 5, In. 30 – col. 6, In. 6; col. 9, Il. 9-58; col. 9, In. 60 – col. 11, In. 34.  D4, col. 5 Il. 14-33.  D5: D7, pp. 5-7, 10-12.  D10: D10; D11: pg. 2-9; D12: pp. 1-1, 2-1.  D11: pg. 2-9.  D13: D14, pp. 1-7; D15, pp. 1-25.  D16: D17, pp. 1-10; D18, pp. 1-3.	Invalidity Bases This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.  The motivation for these combination can be found in Claim 14, above.  A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.  This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
42. The method of claim 40	D3, col. 4, II. 35-52; col. 5, In.	This claim is invalid under 35
wherein a data representation of	30 - col. 6, In. 6; col. 9, 11. 9-58;	U.S.C. §102(b) as anticipated by
a telephone call comprises, for	col. 9, ln. 60 – col. 11, ln. 34.	D3.
each segment of the call, the		
location of the stored audio data	D4, col. 5 Il. 14-33.	This claim is invalid under 35
of that segment.		U.S.C. §102(e) as anticipated by
_	D5: D7, pp. 5, 10-12; D9, pp. 2-	D4.
	1, 2-12 – 2-25.	
		This claim is invalid under 35
	D10: D10; D11: pp. 1-1, 2-7 –	U.S.C. §103 as obvious in view
	2-12	of D1 and/or D2 in combination
		with D3 and/or D4.
	D11: pp. 1-1, 2-7 – 2-12	
		This claim is invalid under 35
	D13: D14, pp. 1-7; D15, pp. 1-	U.S.C. §103 as obvious in view
	25.	of D3 in combination with D4.
	D16 D17 1 10 D10 1	TTI a markit arkita u Samatiana
	D16: D17, pp. 1-10; D18, pp. 1-	The motivation for these
	3.	combination can be found in
		Claim 14, above.
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This alabas is in a 15 d and an 05
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
43. The method of claim 40 wherein the received audio data and the data regarding telephony	D3, Fig. 1. D4, Fig. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
events is stored in the same memory.	D5: D7, pp. 5, 10-12; D9, pp. 2-1, 2-12 - 2-25.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
	D10: D10; D11: pp. 1-1, 2-7 – 2-12 D11: pp. 1-1, 2-7 – 2-12.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination
		with D3 and/or D4.
	D13: D14, pp. 1-7; D15, pp. 1-25.	This claim is invalid under 35 U.S.C. §103 as obvious in view
	D16: D17, pp. 1-10; D18, pp. 1-3.	of D3 in combination with D4.
		The motivation for these combination can be found in Claim 14, above.
·		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
45. The method of claim 42 wherein a location of stored	D3, col. 2, II. 1-15; col. 3, II. 58-62; col. 4., II. 53-63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
audio data of each segment comprises the location of a .WAV file containing the audio data.	D4, col. 4, ln. 16 - col. 5 ln. 33.  D5: D11: pg. 1-1.  D10: D10; D11: pg. 1-1.  D11: pg. 1-1.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.  This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
		The motivation for these combination can be found in Claim 14, above.
		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.

345 Claim	Prior Art Reference(s)	Invalidity Bases
46. The method of claim 45	D3, col. 2, II. 1-15; col. 3, II. 58-	This claim is invalid under 35
wherein a data representation of	62; col. 4., II. 53-63.	U.S.C. §102(b) as anticipated by
a telephone call further		D3.
comprises an offset within the	D4, col. 4, ln. 16 - col. 5 ln. 33.	
.WAV file to the start of the		This claim is invalid under 35
stored audio data.		U.S.C. §102(e) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		This claim is invalid under 35
		U.S.C. §103 as obvious in view of D3 in combination with D4.
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 14, above.
		Quint 17, EDV (V.
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.

345 Claim	Prior Art Reference(s)	Invalidity Bases
47. The method of claim 40 wherein data regarding telephony events is received	D2, col. 4 ln. 59 – col. 5 ln. 5.  D3, Fig. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
from a plurality of sources connected to a telephone switching environment.	D4, Fig. 6. D5: D7, pg. 5.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D4.
	D10: D10; D11: pg. 2-9; D12: pp. 1-1, 2-1.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D1 and/or D2 in combination with D3 and/or D4.
	D11: pg. 2-9 D13: D14, pp. 1-7; D15, pp. 1-25.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
	D16: D17, pp. 1-10; D18, pp. 1-3.	The motivation for these combination can be found in Claim 14, above.
		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 14, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
48. The method of claim 40	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., ln. 60 - col. 11, ln.	
graphical representation of said	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these
		combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-	Claim 14, above.
	3.	
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		m. 1
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		Maio alaime is invested and a 25
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
1		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D13.
		D13,
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.
		יסות.

345 Claim	Prior Art Reference(s)	Invalidity Bases
49. The method of claim 41	D2, Figs. 13-18.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
using a data representation of a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
telephone call to display a	14; col. 9., In. 60 - col. 11, In.	
graphical representation of said	22.	This claim is invalid under 35
telephone call.		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-	Claim 14, above.
	3.	A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
4		This claim is invalid under 35
,	·	U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
50. The method of claim 49	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical	,,	U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment	14; col. 9., ln. 60 - col. 11, ln.	
of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view
		of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these
		combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-	Claim 14, above.
	3.	
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
·		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		mm
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		m(-1, -1, 1, 1, 1, 1, 1, 1, 2, 1, 1, 2, 1, 1, 2, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This also is in all a macros
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This plains is invested and 25
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
51. The method of claim 49	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of the length of	14; col. 9., ln. 60 – col. 11, ln.	
time of each segment of the call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these
		combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-3.	Claim 14, above.
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
	,	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
·		D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

345 Claim	Prior Art Reference(s)	Invalidity Bases
52. The method of claim 48	D1, col. 15, 11. 27-60.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the data	D2 T' 04 SD 10 11 12 12	
representation.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
	14; col. 9., In. 60 – col. 11, In.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination with D3 and/or D4.
	D5: D11: pg. 2-9.	with D3 and/of D4.
	D3. D11. pg. 2 7.	This claim is invalid under 35
	D10: D10; D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D11: pg. 2-9.	
		The motivation for these
	D13: D14, pp. 1-7; D15, pp. 1-	combination can be found in
	25.	Claim 14, above.
	DIC DIG. 1 10 DID. 1	4 11 11
•	D16: D17, pp. 1-10; D18, pp. 1-3.	A call recording systems designer of ordinary skill in the
	] 3.	art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 14, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		Michael Control Control
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D13.
		12101
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Blue Cross Blue Shield Eclipse, sold	
	in the U.S. before June 2, 1998.	
	D2: Blue Cross Blue Shield User	
	Guide (illustrating hardware of D1 sale)	
	(WSNSDE0012983-92)	
	D2. Auditorius Davidonaum Caida	
	D3: Application Development Guide - Blue Cross / Blue Shield Eclipse Project	
	Eclipse Modification and Design	
	(illustrating hardware of D1 sale)	
	(WSNSDE0012967-82)	
	DAy Tracking Agent Id through Infor	
	D4: Tracking Agent Id through Inter- Site Call Transfers (illustrating hardware	
	of D1 sale)(WSNSDE0012993-4)	
	D5: Blue Cross Blue Shield System	
,	Diagrams (illustrating hardware of D1	
	sale)(WSNSDE0013084-7; WSNSDE0013177-83)	
	W3N3DE0013177-037	
	D6: e1000 Circuit Diagrams (illustrating	
	the hardware of the D1 sale).	
	(WSNSDE0013861-94;	
	WSNSDE0050671)	
	D7: E1000/E500 Recorder: Engineer	
	Familiarisation (illustrating the hardware	
	of the D1 sale). (WSNSDE0015161-98)	
	D8: U.S. Publication No. 2001/0043697	
	to Cox, published November 22, 2001,	
	filed on May 11, 1998.	
	(WSNSDE0000874-94)	
	D9: PCT Publication No. WO 98/13995	
	to Smythe, published April 2, 1998, filed	
	September 25, 1997. (WSNSDE0008433-	
	77)	
	D10: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	D11: Racal s Rapidax Voice Logging	
	Recorders Offers Instant Message Recall	
	of Multichannel Calls, Transmissions, dated June 4, 1991. (NSDE008300-	
	008302) (evidencing the hardware of the	
1	D10 sale).	
	Dia. Devides Asset Weight	
	D12: Rapidax Access Voice Logging Recorder. (NSDE008312-008319)	
	(evidencing the hardware of the D10	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	sale).	
	D13: "Rapidax Instant Call Recorder," (NSDE008305-008309) (illustrating the hardware of the D10 sale).	
	D14: "Rapidax in Surveillance and Security Monitoring" (NSDE008310-008311) (evidencing the hardware of the D10 sale).	
	D15: "Operator's Manual." (NSDE008320-008324) (evidencing the hardware of the D10 sale).	
	D16: "System Manager's Manual." (NSDE008325-008340) (evidencing the hardware of the D10 sale).	
	D17: "Rapidax Tape Archive and System Network." (NSDE008303-008304) (evidencing the hardware of the D10 sale).	
	D18: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing the hardware of the D10 sale).	
	D19: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D10 sale).	
	D20: R[a]cal Recorders, Inc.; "R[a]cal Adds Remote Replay Over LAN" to Wordnet Voice Logging Recorder," June 1996. (MERC 013540)	
	D21: "Proposal for a Quality Monitoring / Agent Evaluation System", dated August 20, 1998. (WSNDE 013060-066)	
	D22: Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059) (evidencing the hardware and function of the D21 offer for sale.)	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D23: "Racal Worldnet' Second Generation of World's Best Selling Voice-Logging Recorder," June 28, 1995. (NSDE 004715-16).	
	D24: United States Patent No. 6,222,838 to Sparks, filed November 26, 1997.	
1. A multi-stage data logging system comprising:	D1: D3, pg. 5; D5.  D10: D11, Pages 1-3; D13, Entire Document; D14: Entire Document; D15: Entire Document.  D20: entire document  D23: entire document  D24: Figure 3; Col. 1, line 55 Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D8.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D9.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D10.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D11.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D20.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D21.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D21.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D23.  Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
a) a telecommunications ("telecom") stage receiving input from a plurality of communication channels;	D1: D3, pgs. 5-6; D5.  D8: paras. 46 to 48.  D9: PIG. 2, pg. 6, line 33 pg. 7, line 2.  D10: D11, Page 2; D12, Page 6; D14: Entire Document; D15: Entire Document.  D11: entire document  D20: entire document  D21: entire document; D22: entire document.  D23: entire document	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D24: Figure 3; Col. 2, lines 26-56; Col. 3, lines 5-34; 45-56; Col. 3, line 65 – Col. 4, line 3; Col. 4, lines 19-26, 43-49; Col. 4, line 63 – Col. 5, line 9; Col. 5, lines 27-35, Col. 5, lines 56 – Col. 6, line 2; Col. 6, lines 6-17, 47-54, 56-64.	
b) a recorder stage having one or more recorders, at least one recorder logging data associated with information transmitted on at least one of said plurality of communication channels;	D1: D3, pgs. 5-7, and 16; D4, pgs. 3-5; D5; D6; D7.  D8: paras. 34, 38, 39, 43, 58, 71-75, and 78.  D9: PIG. 2, pg. 6, line 33 – pg. 7, line 2.  D10: D11, Page 2; D14, Page 6; D14: Entire Document; D15: Entire Document.  D11: entire document  D20: entire document  D21: entire document  D23: entire document  D24: Figure 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
c) a distribution stage providing access to data logged in the recorder stage;	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.  D8: para. 40-42.  D9: FIG. 2, pg. 21, line 23 – pg. 22, line 2.  D10: D11, Pages 1-3, D12, Page 6, 7; D14, Page 1; D17, Page 2; D16, Pages 6-16; D13, Entire Document; D15: Entire Document.  D11: entire document  D20: entire document  D21: entire document; D22: entire document.  D23: entire document	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D24: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
d) a first interface linking	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
the telecom and the recorder stages and a second interface linking the	D8: FIG. 1; para. 46-48.	
recorder and the distribution stages;	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Page 6, 7; D17, Page 2; D16, Pages 6-16; D13, Entire Document; D14: Entire Document; D15: Entire Document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: Figure 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
wherein at least two stages	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
of the system are physically separable and in operation can be located wide	D8: FIG. 1; para. 30-33.	
distances apart.	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document, 4; D17, Page 2; D16, Pages 6-16; D13, Entire Document; D15: Entire Document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: Figure 3; Col. 1, line 55 – Col. 2,	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
6. The data logging system of claim 1 wherein the	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	Claim 6 is invalid under 35 U.S.C. \$102(b) as anticipated by D1.
telecom stage provides time stamping of the received	D8: para. 35, 99.	Claim 6 is invalid under 35 U.S.C.
input.	D9: FIG. 2, pg. 21, line 30 – pg. 22, line 1.	§102(e) as anticipated by D8.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16,	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	Pages 6-16; D13, Entire Document; D14: Entire Document; D15: Entire Document.	Claim 6 is invalid under 35 U.S.C. \$102(b) as anticipated by D10.
	D11: entire document	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D20: entire document	Claim 6 is invalid under 35 U.S.C.
	D21: entire document; D22: entire document.	§102(b) as anticipated by D20.
	D23: entire document	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
14. The data logging system of claim 1 wherein the		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
distribution stage comprises:		Claim 14 is invalid under 35 U.S.C. \$102(e) as anticipated by D8.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
cl) a first interface receiving data from the	D1: D3, Page 5; D5.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
recorder stage;	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: PIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, Entire Document; D15: Entire Document.	
	D11: entire document	
	D20: entire document	·
	D21: entire document; D22: entire document.	
	D23: entire document	
c2) a controller for directing	D1: D2, pgs. 3-4, 7; D3, pgs. 5-7; D5.	
and monitoring distribution stage operations;	D8: para. 31, 40-45, 90-94, 108, 109.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, Entire Document; D15: Entire Document.	
	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
c3) a buffer for transitional data storage; and	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, Entire Document; D15: Entire Document.	
	D11: entire document	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
c4) a second interface for distributing data to one or more output channels.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
more output citamets.	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, Entire Document.	
	D11: entire document	:
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
15. The data logging system of claim 1 wherein the distribution stage comprises	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
an archive storage device for archiving data.	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	D11: entire document	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D20: entire document	Claim 15 is invalid under 35 U.S.C.
	D21: entire document; D22: entire	§102(b) as anticipated by D20.
	document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document	
·		Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
17. The data logging system		Claim 17 is invalid under 35 U.S.C.
of claim 15 wherein said		§103 as obvious over D1 and/or D9
archive storage device is a RAID array.		and/or D10 and/or D11 and/or D20 and/or D21 and/or D23.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		It would have been obvious to one of ordinary skill in the art to replace a hard disk drive, as in D1, D9, D10, D11, D20, D21, or D23 with a RAID array, as was known in the art, to increase data integrity, data storage capacity, and/or fault-tolerance.  A data logging system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of data logging systems, would have seen a benefit to replace a RAID array with the hard disk drive teachings of D1, D9, D10, D11, D20, D21 or D23 to increase data integrity, data storage capacity, and/or fault-tolerance.
19. The data logging system of claim 1 wherein the distribution stage comprises:		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 19 is invalid under 35 U.S.C. §102(e) as anticipated by D8.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D9.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D10.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D11.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D20.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D20.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D21.  Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
an operating system software application and a computer capable of running said software application and accessing one or more remote serve computers.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 31, 40-45, 90-94, 108, 109.  D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.  D10: D11, Pages 1-3, D12, Pages 2-7; D14, Page 1, 4; D17, Page 2; D16, Pages	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	6-16; D13, entire document; D15: entire document.	
	document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
32. The data logging system of claim 1, wherein the distribution stage is	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
implemented as a network server.	D8: para. 40-42.	Claim 32 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16,	Claim 32 is invalid under 35 U.S.C.
	Pages 6-16; D13, entire document.	§102(b) as anticipated by D10.
	D11: entire document	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
,	D20: entire document	-
	D21: entire document; D22: entire document.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
	D23: entire document	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
33. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 33 is invalid under 35 U.S.C.
of claim 32, wherein the network server is a Web	D5.	\$102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. \$103 as
server.	D8: para. 40-42.	obvious over D1 in view of D8.
	D9: PIG. 2; pg. 6, line 33 - pg. 7, line 2;	Claim 33 is invalid under 35 U.S.C.
	pg. 21, line 23 – pg. 22, line 2.	§102(b) as anticipated by D10, or in
	D10: D11, Pages 1-3, D12, Pages 2-7;	the alternative, under 35 U.S.C. §103 as obvious over D10 in view of D8.
	D14, entire document; D17, Page 2; D16,	
	Pages 6-16; D13, entire document.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D20, or in
	D20: entire document	the alternative, under 35 U.S.C. §103
	D21: entire document; D22: entire	as obvious over D20 in view of D8.
	document.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document	5 TO S(O) as annormal by D21.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	·	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D23, or in the alternative, under 35 U.S.C. §103 as obvious over D23 in view of D8.
		Claim 33 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		D8 discloses a call center with call recording capabilities, where the call center is accessible via a web server and a browser. It would have been obvious to one of ordinary skill in the art to utilize a web server to permit remote access, as in D1, D10, D20, and/or D23 from web-based clients, as the world-wide-web is a popular and easily accessible network for remotely connecting to a computer/network.
		A data logging system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of data logging systems, would have seen a benefit to incorporate a web server of D8 with the teachings of D1, D10, D20, or D23 to permit remote access from the world-wide-web, which is a popular and easily accessible network for remotely connecting to a computer/network.
		Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
34. The data logging system of claim 32, wherein the network server is a file	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
server.	D8: para. 40-42.	Claim 34 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	D20: entire document	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
	D21: entire document; D22: entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
43. A data logger, comprising:		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
		Claim 43 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D24.
a telecommunication device	D1: D6, and D7 Pages 2-5.	
receiving input from a plurality of communication channels;	D8: paras. 46 to 48.	
<b></b>	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23	
a processor converting the	D1: D6, and D7 Pages 2-5.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
received input to one or	D9 47.4- 59	
more data formats;	D8: paras. 47 to 52.	
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: Figure 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
a memory for logging	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	
information about the received input, the information comprising data	D8: para. 34-35, 38, 78, and 99.	
converted to at least one data format;	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: Figure 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
a communication path to a	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
communications network; and	D8: para. 40-42.	
	D9: PIG. 2; pg. 6, line 33 – pg. 7, line 2;	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	·
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: Figure 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
a server having access to the	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
memory via the communications network	D8: para. 40-42.	
for transferring logged data from one or more of said plurality of communication channels via the	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
communications network to at least one remote user.	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: D11: Figure 3; Col. 2, lines 26-56; Col. 3, lines 5-34; 45-56; Col. 3, line 65 – Col. 4, line 3; Col. 4, lines 19-26, 43-49; Col. 4, line 63 – Col. 5, line 9; Col. 5, lines 27-35, Col. 5, lines 56 – Col. 6, line 2; Col. 6, lines 6-17, 47-54, 56-64.	
44. The data logger of claim 43 wherein the server is a Web server and the	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D1 or D24, or in the alternative, under 35 U.S.C.
communications network is the Internet.	D8: para. 40-42.	§ 103 as obvious over D1 in view of D8.
	D9: PIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 44 is invalid under 35 U.S.C.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		§102(b) as anticipated by D10, or in
	D10: D11, Pages 1-3, D12, Pages 2-7;	the alternative, under 35 U.S.C. §103
	D14, entire document; D17, Page 2; D16,	as obvious over D10 in view of D8.
	Pages 6-16; D13, entire document.	Claim 44 is invalid under 35 U.S.C.
	D11: entire document	§102(b) as anticipated by D11, or in
	D11, entire document	the alternative, under 35 U.S.C. §103
	D21: entire document; D22: entire	as obvious over D1 in view of D8.
	document.	
		Claim 44 is invalid under 35 U.S.C.
	D24: Figure 3; Col. 2, lines 26-56; Col.	§102(b) as anticipated by D21, or in
	3, lines 5-34; 45-56; Col. 3, line 65 – Col.	the alternative, under 35 U.S.C. §103
	4, line 3; Col. 4, lines 19-26, 43-49; Col.	as obvious over D21 in view of D8.
	4, line 63 – Col. 5, line 9; Col. 5, lines 27-	
	35, Col. 5, lines 56 – Col. 6, line 2; Col.	Claim 44 is invalid under 35 U.S.C.
	6, lines 6-17, 47-54, 56-64.	§102(b) as anticipated by D23, or in
		the alternative, under 35 U.S.C. §103
		as obvious over D23 in view of D8.
		Claim 44 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.
		groz(e) as annerpaced by Bo.
		D8 discloses a call center with call
		recording capabilities, where the call
		center is accessible via the Internet, a
		web server and a browser. It would
	·	have been obvious to one of ordinary
		skill in the art to utilize a web server to
		permit remote access, as in D1 and/or
		D10 and/or D11 and/or D21 and/or
		D23, from Internet-based clients, as
		the world-wide-web is a popular and
		easily accessible network for remotely
		connecting to a computer/network.
		A data logging system designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of data
		logging systems, would have seen a
		benefit to incorporate a web server of
		D8 with the teachings of D1 and/or
		D10 and/or D11 and/or D21 and/or
		D23 to permit remote access from the
		world-wide-web, which is a popular
		and easily accessible network for
		remotely connecting to a
		computer/network.
		Claim 44 is invalid under 35 U.S.C.
		§102(b) as anticipated by D9.
		8102(0) as anacipated by D31

370 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,048,079, priority date of Aug. 10, 1990, and issue date of Sep. 10, 1991. (WSNSDE0003251-72) D1 discloses a method and apparatus for matching call records with corresponding PBX data using a probability factor.	
	D2: U.S. Patent No. 6,002,753, priority date of Oct. 5, 1994, and issue date of Dec. 14, 1999. (WSNSDE0005882-925) D2 discloses an apparatus and method for exchanging telephone call information between two computers.	
	D3: U.S. Patent No. 5,559,875, priority date of Jul. 31, 1995, and issue date of Sep. 24, 1996. (WSNSDE0004992-5027) D3 discloses a method and apparatus for recording and playback of audio conferences.	
	D4: U.S. Patent No. 5,982, 857, priority date of Oct. 17, 1994, and issue date of Nov. 9, 1999. (WSNSDE0005823-37) D4 discloses a system and method for recording and playback of telephone calls.	
	D5: Blue Cross Blue Shield Eclipse Integration, sold or offered for sale in the U.S. before June 8, 1999.	·
	D6: Blue Cross Blue Shield User Guide dated January 29, 1997 (illustrating system of D5) (WSNSDE0012983-92)	
	D7: Application Development Guide - Blue Cross / Blue Shield Eclipse Project Eclipse Modification and Design dated November 25, 1997 (illustrating system of D5) (WSNSDE0012967-82).	
	D8: Tracking Agent Id through Inter-Site Call Transfers	

370 Claim	Prior Art Reference(s)	Invalidity Bases
	(illustrating the system of D5) (WSNSDE0012993-4).	
	D9: "E1000 for Windows User Guide" dated July 1997 (illustrating the system of the D5) (WSNSDE0011276-346).	
	D10: Equiserve Recording Proposal presented in the U.S. on May 5, 1999, which before June 8, 1999. (WSNSDE013106)	
	D11: "E-Ware Replay-User Guide" dated November 1998 (illustrating the system of D5 and D10) (WSNSDE011798- 844).	
	D12: "Unify System Managers Guide" dated August 1996 (illustrating the system of D10) (WANSDE012044-70).	
	D13: Cannon MediaStore/Unify/Eware Integration, sold in U.S. before June 8, 1998.	
	D14: "Proposal for a Quality Monitoring / Agent Evaluation System," dated 8/20/98 (illustrating system of D13) (WSNSDE013060-66).	
	D15: "Cannon ITS Technology Services Incorporated Quality Monitoring Functionality Design," dated 11/18/98 (illustrating system of D13) (WSNSDE013035-59).	
	D16: State Farm E1000/Unify/Eware Integration, sold in U.S. more than one year before June 8, 1999.	
	D17: State Farm Site Documentation (illustrating system of D16 as of 10/10/97) WSNSDE013162-71)	
	D18: Report to the Board of Directors, June 1997 (describing	

370 Claim	Prior Art Reference(s)	Invalidity Bases
	agreement to sell system to D16	
	in sec. 4.8)	
	(WSNSDEPROD4817005-7).	

370 Claim	Prior Art Reference(s)	Invalidity Bases
1. A method for constructing and		This claim is invalid under 35
maintaining data representations		U.S.C. §102(b) as anticipated by
of lifetimes of telephone calls		D3.
comprising one or more		This states in involve under 25
segments, audio data for each		This claim is invalid under 35 U.S.C. § 102(e) as anticipated by
segment being recorded on one or more recorders, the method		D4.
comprising:		LT.
Comprising.		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D1 and/or D2 in combination
		with D3 and/or D4.
		m611-1 1- 111-1 25
		This claim is invalid under 35 U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		of D3 in combination with D4.
		D1 and D2 teach storing various
		types of telephony data. D3 and
		D4 teach storing audio segments
		with associated data. One of
		skill in the art would recognize
		the types of data disclosed in D1 and/or D2 could be stored in the
		data storage systems disclosed in
		D3 and/or D4. The motivation
		for this combination can be
		found in the references
		themselves, which teach the
		desirability of maintaining data
		associated with audio segments.
		Furthermore, one of skill in the
		art would recognize that the
		similarities in the teachings of
		D1 and D2, as well as the
		similarities in the teachings of
		D3 and D4, allow for the
		combination of D1 and D2, as
		well as the combination of D3
		and D4. The motivation for these combinations would be to
		provide interoperability between
		the similar systems disclosed in
		these references.
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of needs created by developments
		in the field of endeavor, would
		have seen a benefit to storing the
		types of data disclosed in D1
		and/or D2 in the data storage
		systems disclosed in D3 and/or
		D4.
		A golf regarding quaterns
	- 4 -	A call recording systems designer of ordinary skill in the
		art, facing the wide range of
	I	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(c) matching a received	D1, col. 2, ll. 22-34; col. 3, ln.	It would have been obvious to
telephony event with a	62 – col. 4 ln. 17; col. 7, II. 27-	one of ordinary skill in the art to
constructed call record;	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided
		above.
	D2, col. 5, II. 6-32; col. 22, II.	
	18-21; col. 22, II. 52-56; col. 25,	A call recording systems
	П. 18-29.	designer of ordinary skill in the
	D2 col 5 ln 20 col 6 ln 6	art, facing the wide range of
	D3, col. 5, ln. 30 – col. 6, ln. 6; col. 9, ll. 9-58.	needs created by developments in the field of endeavor, would
	Cor. 9, II. 9-36.	have seen the benefits described
	D4, col. 5 Il. 14-33.	above.
	154, 601. 5 H. 14 35.	шо үс.
	D5: D7, pp. 4-7, 10-12; D9, pp.	
	2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12;	:
	D12: pp. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 – 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	<i>سب</i> .	,
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(d) updating the matching call	D1, col. 2, II. 22-34; col. 3, In.	It would have been obvious to
record based on the received	62 – col. 4 ln. 17; col. 7, II. 27-	one of ordinary skill in the art to
telephony event data; and	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided
	D2, col. 5, ll. 6-32; col. 22, ll.	aboye.
	18-21; col. 22, II. 52-56; col. 25,	A call recording systems
	II. 18-29.	designer of ordinary skill in the
		art, facing the wide range of
	D3, col. 5, ln. 30 – col. 6, ln. 6;	needs created by developments
·	col. 9, 11. 9-58.	in the field of endeavor, would
	D. 1511.122	have seen the benefits described
	D4, col. 5 II. 14-33.	above.
	D5: D7, pp. 4-7, 10-12; D9, pp.	
	2-1, 2-12-2-25.	
	D10: D10: D11: pp 2.7.2.12:	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.	
	В12. рр. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 – 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	
(e) combining the updated call	D3, col. 4, ll. 35-52; col. 5, ln.	It would have been obvious to
record with data indicating the	30 – col. 6, ln. 6; col. 9, ll. 9-58;	one of ordinary skill in the art to combine D1 and/or D2 with D3
location of recorded audio data for the segment of the call, to	col. 9, In. 60 – col. 11, In. 34.	and/or D4. The motivation for
obtain a master call record	D4, col. 5 Il. 14-33.	this combination is provided
representing the lifetime of the		above.
telephone call.	D5: D7, pp. 4-7, 10-12; D9, pp.	[ ,
	2-1, 2-12-2-25.	A call recording systems
	D10: D10; D11: pp. 2-7- 2-12;	designer of ordinary skill in the art, facing the wide range of
	D10: D10; D11: pp. 2-7-2-12; D12: pp. 1-1 – 2-1.	needs created by developments
		in the field of endeavor, would
	D11: pp. 2-7- 2-12.	have seen the benefits described
	D12: pp. 1-1 – 2-1.	aboye.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	D16: D17, pp. 1-10; D18, pp. 1-	
	3.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
5. The method of claim 1	D1, col. 3, ln. 62 - col. 4 ln. 17;	This claim is invalid under 35
wherein the master call record	col. 7, II. 27-62; col. 13 II. 19-25;	U.S.C. §103 as obvious in view
comprises a serial number that	col. 15, Il. 27-60.	of D1 and/or D2 in combination
identifies the telephone call.		with D3 and/or D4.
	D5: D11, pg. 2-11.	
	D10: D10; D11, pg. 2-11.	This claim is invalid under 35 U.S.C. §103 as obvious in view of D3 in combination with D4.
	D11: pg. 2-11.	
		The motivation for these
	D13: D14, pp. 1-7; D15, pp. 1-25.	combination can be found in Claim 1, above.
	D16: D17, pp. 1-10; D18, pp. 1-3.	A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen the benefits described in claim 1, above.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

370 Claim	Prior Art Reference(s)	Invalidity Bases
6. The method of claim 1	D1, col. 3, ln. 62 - col. 4 ln. 17;	This claim is invalid under 35
wherein the call record is	col. 7, Il. 27-62; col. 13 Il. 19-25;	U.S.C. §102(b) as anticipated by
updated with data fields	col. 15, II. 27-60.	D3.
describing each participant of the telephone call.	D2, col. 5, II. 6-32; col. 22, II.	This claim is invalid under 35
die telephone can.	18-21; col. 22, II. 52-56; col. 25,	U.S.C. § 102(e) as anticipated by
	П. 18-29.	D4.
	D3, col. 1, ln. 52 – col. 2, ln. 15;	This claim is invalid under 35
	col. 5, Il. 4-14; col. 5, In. 57 – col. 6, In. 6.	U.\$.C. §103 as obvious in view of D1 and/or D2 in combination
	Cor. O, In. O.	with D3 and/or D4.
	D4, col. 5 ll. 14-33.	
	,	This claim is invalid under 35
	D5: D7, pp. 5-7, 10-12.	U.S.C. §103 as obvious in view
	D10- D10-D11 0.0-D10-	of D3 in combination with D4.
	D10: D10; D11: pg. 2-9; D12: pp. 1-1, 2-1.	The motivation for these
·	pp. 1-1, 2-1.	combination can be found in
	D11: pg. 2-9.	Claim 1, above.
	D13: D14, pp. 1-7; D15, pp. 1-	A call recording systems
	25.	designer of ordinary skill in the art, facing the wide range of
	D16: D17, pp. 1-10; D18, pp. 1-	needs created by developments
	3.	in the field of endeavor, would
		have seen the benefits described
		in claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		mpt dim i in et des 25
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by
		D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

370 Claim	Prior Art Reference(s)	Invalidity Bases
8. The method of claim 1 further	D3, col. 5, ln. 30 – col. 11, ln.	This claim is invalid under 35
comprising the step of	22.	U.S.C. §102(b) as anticipated by
assembling and playing back	D4 1 5 11 14 22	D3.
segments of telephone calls using the recorder locations	D4, col. 5 ll. 14-33.	This claim is invalid under 35
described in the master call	D5: D11, pg. 2-11.	U.S.C. § 102(e) as anticipated by
record for each telephone call.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	D4.
	D10: D10; D11, pg. 2-11.	
	D11: pg. 2-11.	This claim is invalid under 35 U.S.C. §103 as obvious in view
	D11. pg. 2-11.	of D1 and/or D2 in combination
	D13: D14, pp. 1-7; D15, pp. 1-	with D3 and/or D4.
	25.	
	DIC DIZ 1 (0.DIQ 1	This claim is invalid under 35
	D16: D17, pp. 1-10; D18, pp. 1-3.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	3.	of Dy in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would have seen the benefits described
		in claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D5.
		1
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.
		L

370 Claim	Prior Art Reference(s)	Invalidity Bases
9. The method of claim 1 further	D2, Figs. 13-18.	This claim is invalid under 35
comprising the step of using the	2-,	U.S.C. §102(b) as anticipated by
master call record to display a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
graphical representation of said	14; col. 9., In. 60 – col. 11, In.	
telephone call.	22.	This claim is invalid under 35
Later Francisco		U.Ş.C. §103 as obvious in view
	D5: D11: pg. 2-9.	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
	25	This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these
		combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-3.	Claim 1, above.
		A call recording systems
•		designer of ordinary skill in the
	·	art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described in claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35 U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.

370 Claim	Prior Art Reference(s)	Invalidity Bases
11. The method of claim 9	D2, Figs. 13-18.	This claim is invalid under 35
wherein the graphical		U.S.C. §102(b) as anticipated by
representation comprises a	D3, Figs. 9A, 9B, 10, 11, 12, 13,	D3.
representation of each segment	14; col. 9., In. 60 – col. 11, In.	
of the telephone call.	22.	This claim is invalid under 35
		U.S.C. §103 as obvious in view
	D5: D11: pg. 2-9	of D1 and/or D2 in combination with D3 and/or D4.
	D10: D10; D11: pg. 2-9.	
		This claim is invalid under 35
	D11: pg. 2-9.	U.S.C. §103 as obvious in view of D3 in combination with D4.
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	The motivation for these
		combination can be found in
	D16: D17, pp. 1-10; D18, pp. 1-3.	Claim I, above.
	J.	A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by D13.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D16.

370 Claim	Prior Art Reference(s)	Invalidity Bases
12. The method of claim 9	D1, col. 15, 11. 27-60.	This claim is invalid under 35
further comprising the step of		U.S.C. §102(b) as anticipated by
displaying a table comprising	D2, Figs. 20A, 20B, 21, 22.	D3.
data from the master call record.	D3, Figs. 9A, 9B, 10, 11, 12, 13,	This claim is invalid under 35
	14; col. 9., ln. 60 – col. 11, ln.	U.S.C. §103 as obvious in view
	22.	of D1 and/or D2 in combination
		with D3 and/or D4.
	D5: D11: pg. 2-9	mote to and a time to the control and the Control and
	D10: D10: D11: ma 2.0	This claim is invalid under 35 U.S.C. §103 as obvious in view
	D10: D10; D11: pg. 2-9.	of D3 in combination with D4.
	D11: pg. 2-9.	or 155 in combination what 5
	PO: - >:	The motivation for these
	D13: D14, pp. 1-7; D15, pp. 1-	combination can be found in
	25.	Claim 1, above.
	DIC DIZ 1 10 DIG 1	A11
	D16: D17, pp. 1-10; D18, pp. 1-3.	A call recording systems designer of ordinary skill in the
	, S.	art, facing the wide range of
·		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 1, above.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D5.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D10.
÷		This claim is invalid under 35
	·	U.S.C. §102(b) as anticipated by
		D11.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
	·	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D16.

370 Claim	Prior Art Reference(s)	Invalidity Bases
27. A method for constructing		This claim is invalid under 35
and maintaining data		U.S.C. §102(b) as anticipated by
representations of lifetimes of		D3.
telephone calls comprising two		mil 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
or more segments, audio data for		This claim is invalid under 35
each segment being recorded on one or more recorders, the		U.S.C. §103 as obvious in view of D1 and/or D2 in combination
method comprising the steps of:		with D3 and/or D4.
montos comprising no steps or.		William By and Grant By
		This claim is invalid under 35
		U.S.C. §103 as obvious in view
		of D3 in combination with D4.
		The motivation for these
		combination can be found in
		Claim 1, above.
		A call recording systems
· ·		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen the benefits described
		in claim 1, above.
		This claim is invalid under 25
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by
		D5.
		3.
		This claim is invalid under 35
		U.\$.C. §102(a) as anticipated by
		D10.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by D11.
		111.
		This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D12.
		This claim is invalid under 35
		U.S.C. §102(a) as anticipated by
		D13.
		This claim is invalid under 35
		U.S.C. \$102(b) as anticipated by
		D16.

370 Claim	Prior Art Reference(s)	Invalidity Bases
(a) constructing a call record for	D1, col. 2, 11. 22-34; col. 3, ln.	It would have been obvious to
a telephone call comprising two	62 – col. 4 ln. 17; col. 7, Il. 27-	one of ordinary skill in the art to
or more segments;	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 – col. 14, ln. 59; col. 15, II.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D2, col. 5, II. 6-32; col. 22, II.	
	18-21; col. 22, II. 52-56; col. 25,	It would have been obvious to
	П. 18-29.	one of ordinary skill in the art to combine D3 and D4. The
	D3, col. 5, ln. 30 – col. 6, ln. 6;	motivation for this combination
	col. 9, 11. 9-58; col. 9, ln. 60 –	is provided in Claim 1, above.
	col. 11, In. 34.	
		A call recording systems
	D5: D7, pp. 4-7; D9, pg. 2-1	designer of ordinary skill in the art, facing the wide range of
	D10: D10; D11: pp. 1-1, 2-1;	needs created by developments
	D12: pp. 1-1, 2-1.	in the field of endeavor, would
		have seen the benefits described
	D11: pp. 1-1, 2-1.	in claim 1, above.
	D12: pp. 1-1, 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-	
	25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
	J.	

I have been obvious to ordinary skill in the art to e D1 and/or D2 with D3 D4. The motivation for abination is provided in above.
e D1 and/or D2 with D3 D4. The motivation for abination is provided in
O4. The motivation for abination is provided in
nbination is provided in
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above
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reated by developments
eld of endeavor, would
en the benefits described
ıl, above.

370 Claim	Prior Art Reference(s)	Invalidity Bases
(c) matching said one or more	D1, col. 2, 1l. 22-34; col. 3, ln.	It would have been obvious to
received telephony events with	62 – col. 4 ln. 17; col. 7, 11. 27-	one of ordinary skill in the art to
said call record;	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 – col. 14, ln. 59; col. 15, ll.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D2, col. 5, II. 6-32; col. 22, II.	1 77 77
	18-21; col. 22, II. 52-56; col. 25,	A call recording systems
	П. 18-29.	designer of ordinary skill in the art, facing the wide range of
	D3, col. 5, ln. 30 – col. 6, ln. 6;	needs created by developments
	col. 9, II. 9-58.	in the field of endeavor, would
	Col. 9, II. 9-36.	have seen the benefits described
	D4, col. 5 ll. 14-33.	in claim I, above.
	D5: D7, pp. 4-7, 10-12; D9, pp. 2-1, 2-12-2-25.	
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1-2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	

370 Claim	Prior Art Reference(s)	Invalidity Bases
(d) updating said call record	D1, col. 2, Il. 22-34; col. 3, In.	It would have been obvious to
based on said received telephony	62 – col. 4 ln. 17; col. 7, II. 27-	one of ordinary skill in the art to
event data; and	62; col. 11, ll. 34-47; col. 13, ln.	combine D1 and/or D2 with D3
	19 – col. 14, ln. 59; col. 15, II.	and/or D4. The motivation for
	27-60.	this combination is provided in
		Claim 1, above.
	D2, col. 5, ll. 6-32; col. 22, ll.	
	18-21; col. 22, ll. 52-56; col. 25,	A call recording systems
	II. 18-29.	designer of ordinary skill in the art, facing the wide range of
	D3, col. 5, ln. 30 – col. 6, ln. 6;	needs created by developments
	col. 9, 11. 9-58.	in the field of endeavor, would
	Cor. 7, n. 7-50.	have seen the benefits described
	D4, col. 5 11. 14-33.	in claim 1, above.
	D5: D7, pp. 4-7, 10-12; D9, pp. 2-1, 2-12-2-25.	·
	D10: D10; D11: pp. 2-7- 2-12; D12: pp. 1-1 – 2-1.	
	D11: pp. 2-7- 2-12.	
	D12: pp. 1-1 - 2-1.	
	D13: D14, pp. 1-7; D15, pp. 1-25.	
	D16: D17, pp. 1-10; D18, pp. 1-3.	
(e) combining said updated call	D3, col. 4, Il. 35-52; col. 5, ln.	It would have been obvious to
record with data indicating one	30 – col. 6, In. 6; col. 9, 11. 9-58;	one of ordinary skill in the art to
or more locations of recorded	col. 9, ln. 60 – col. 11, ln. 34.	combine D1 and/or D2 with D3
audio data for two or more	D5. D5 45 10 10 D0	and/or D4. The motivation for
segments of the call, to obtain a master call record representing	D5: D7, pp. 4-7, 10-12; D9, pp. 2-1, 2-12-2-25.	this combination is provided in Claim 1, above.
the lifetime of said telephone		
call.	D10: D10; D11: pp. 2-7- 2-12;	It would have been obvious to
	D12: pp. 1-1 – 2-1.	one of ordinary skill in the art to
	D11. pp. 2.7. 2.12	combine D3 and D4. The motivation for this combination
	D11: pp. 2-7- 2-12.	is provided in Claim 1, above.
	D12: pp. 1-1 – 2-1.	is provided in Claim 1, above.
	Pr	A call recording systems
	D13: D14, pp. 1-7; D15, pp. 1-	designer of ordinary skill in the
	25.	art, facing the wide range of
		needs created by developments
	D16: D17, pp. 1-10; D18, pp. 1-	in the field of endeavor, would
	3.	have seen the benefits described
	l	in claim 1, above.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Publication No.	
	2001/0043697 to Cox, published	
	November 22, 2001, filed on May 11,	
	1998.(WSNSDE0000874-94)	
	D2: PCT Publication No. WO	
	98/13995 to Smythe, published April	
	2, 1998, filed September 25,	
	1997.(WSNSDE0008433-77)	
	D3: U.S. Patent No. 5,668,863 to	
	Bieslin, filed April 26, 1996, claiming	
	priority to U.S. Application Serial No.	
	08/509,390, filed June 31,	
	1995.(WSNSDE0005185-5222)	
	DA. Blue Chass Blue Chiefe Estings	
	D4: Blue Cross Blue Shield Eclipse, sold in the U.S. before June 2, 1998.	
	Sold in the O.S. Defore Julie 2, 1990.	
	D5: Blue Cross Blue Shield User	
	Guide (illustrating hardware of D1	
	sale) (WSNSDE0012983-92)	
	D6: Application Development Guide	
	- Blue Cross / Blue Shield Eclipse	
	Project Eclipse Modification and	
	Design (illustrating hardware of D1	
	sale) (WSNSDE0012967-82)	
	D7. The library and I of the country Interest	
	D7: Tracking Agent Id through Inter- Site Call Transfers (illustrating	
	hardware of D1	
	sale)(WSNSDE0012993-4)	
	SHEX (TOTOD EOUT 2775 1)	
	D9: Racal Adds Remote Replay	
	Over LAN to Wordnet Voice-Logging	
	Recorder, dated June 17, 1996.	
	D10: Deposition of Andrew Jackson	
	in Dictaphone CorPage vs. Nice	
	Systems, Ltd., dated June 21, 2002,	
	Civil Action 3:00CV1143.	
	(NSDE008273-008299)	
	D11: United States Patent No.	
	6,222,838 to Sparks, filed November	
	26, 1997.	
	μυ, 1// 1.	
	D12: European Patent Publication	
	0837388A2, to Yamakita, filed	
	October 9, 1997, claiming priority to	
	October 15, 1996.	
	D13: Proposal for a Quality	
	Monitoring / Agent Evaluation	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	System", dated August 20, 1998. (WSNDE 013060-066)	
	D14: Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059)	
	(evidencing the hardware and function of the D21 offer for sale.)	
1. A method for accessing information in at least one digital logger storing data associated with input from a plurality of input channels, comprising:	D1: Page 2, Para. 17, 30, 31, 34; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 1, line 54 - Col. 2, lines 19; Col. 3, lines 31-34; Col. 3, line 56 Col. 4, line 9; Col. 10, lines 8-14.  D4: entire document.  D5: entire document  D6: entire document  D7: entire document  D8: entire document  D9: Pages 1-3.  D10: Page 9, lines 22-24.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D3 in combination with D1 and/or D2 and/or D9 and/or D10 and/or D11 and/or D12.
	D11: Figure 3; Col. 1, line 55 Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.  D12: Col. 1, lines 1-7, 35-55; Col. 2, lines 25-40; Col. 2, line 47 Col. 3, line 7; Col. 3, lines 37-49; Col. 5, lines 38-54; Col. 6, line 34 Col. 8, line 55; Figure 1, 2, 5-9.  D13: D14: entire document.	
at a Web server having access	D1: Page 2, Para. 17, 30, 31, 34; Page	This claim is invalid under 35 U.S.C.
to said at least one digital logger,	3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.	§ 103(a) as obvious in view of D3 in combination with D1 and/or D2. It would have been obvious to one of ordinary skill in the art to incorporate
	D2: Page 5, lines 11-12.	the web server and digital logger associated with input from a plurality
	D3: Col. 2, lines 4-7; Col. 3, lines 31-	of input channels of D1 and/or D2 in

920 Claim	Prior Art Reference(s)	Invalidity Bases
-	46; Col. 9, line 67 – Col. 10, lines 8-	the call conference recording system
	14; Col. 10, lines 59 – Col. 11, line 36.	of D3 to make recordings available to
		more clients/users across a greater
	D4: entire document.	geographical area.
	D5: Pages 5-9.	A digital logger designer of ordinary
	D6: Page 5-11	skill, facing the wise range of needs created by developments in the field
	D7: entire document	of endeavor, would have seen a benefit to incorporate the web server and digital logger assocated with
	D9: Pages 1-3.	input channels of D1 and/or D2 to the call conference recording system of
	D10: Page 9, lines 22-24.	D3 to make recordings available to more clients/users across a greater
	D11: Figure 3; Col. 2, lines 26-56; Col. 3, lines 5-34; 45-56; Col. 3, line	geographical area.
	65 – Col. 4, line 3; Col. 4, lines 19-26, 43-49; Col. 4, line 63 – Col. 5, line 9;	
	Col. 5, lines 27-35, Col. 5, lines 56 –	
	Col. 6, line 2; Col. 6, lines 6-17, 47-54,	
	56-64.	
	D12. Col 2 lines 25 Col 3 line 2:	
	D12: Col. 2, lines 25 – Col. 3, line 3;	
	Col. 3, lines 7-37; Col. 5, line 38 – Col. 6, lines 10-32; Figures 1, 2, 8.	
	Cor. 6, lines 10-52; rigules 1, 2, 6.	
	D13: D14: entire document.	
receiving a request for retrieval	D1: Page 1, para. 15-17; Page 2, para	
of stored data from a client;	31, 35; Page 3, para. 38, 39, 45; Page	
,	6, para. 72, 73, 77, 78; Page 10, claim	
	25.	
	D2: Page 20, lines 28-29.	
	D3: Col. 3, lines 38-45; Col, 4, lines	
	10-21; Col. 5, lines 31-58; Col. 6, line	
	23 – Col. 7, line 44; Col. 7, line 57 –	
	Col. 8, line 19; Col. 11, lines 18-22.	
	D4: entire document.	
	D5: Pages 5-9.	
	D6: Pages 5-11	
	D7: entire document	
	D9: Pages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	17, 47-53;line 55; Col. 7, lines 9-23.	
	D12: Col. 2, line 47 – Col. 3, line 3;	
	Col. 5, lines 3-16; Col. 6, lines 41-55;	
	Col. 7, line 57 – Col. 8, line 28; Col. 9,	
	lines 12 – Col. 10, line 8.	
	D13: D14: entire document.	
retrieving stored data in	D1: Page 1, para. 15-17; Page 2, para.	
accordance with the received	31; Page 3, para. 38-45; Page 6, para.	
request;	72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D4: entire document.	
	D3: Col. 3, lines 38-45; Col, 4, lines	
	10-21; Col. 5, lines 31-58; Col. 6, line	
·	23 – Col. 7, line 44; Col. 7, line 57 –	
	Col. 8, line 19; Col. 9, lines 18 – Col. 10, 14; Col. 10, line 47 – Col. 11, 22.	
	10, 14; Col. 10, line 47 – Col. 11, 22.	
	D4: entire document.	
	D5: Pages 5-9.	
	D6: Pages 5-11	
	D7: entire document	
	D9: Pages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 57 – Col. 2,	
	line 10; Col. 2, lines 10-16, 49-56; Col.	•
	3, line 47 - Col. 5, line 26 - Col. 6, 6-	
	17, 47-53; Col. 7, lines 9-23.	
	D12: Col. 2, line 47 – Col. 3, line 3;	
	Col. 5, lines 3-16; Col. 6, lines 41-55;	
	Col. 7, line 57 – Col. 8, line 28; Col. 9,	
	lines 12 – Col. 10, line 8.	
	D13: D14: entire document.	
and transferring the retrieved	D1: Page 1, para. 15-17; Page 2, para.	
data to the client.	31; Page 3, para. 38-45; Page 6, para.	
	72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
	D4: entire document.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D5: Pages 5-9.	
	D6: Pages 5-11	
	D7: entire document	
	D9: Pages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D12: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D13: D14: entire document.	
3. The method of claim 2 wherein the step of retrieving stored data comprises accessing call information for a record of	D1: Page 2, Para. 17, 30, 31, 34, 35; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 74, 77, 78; Page 7, para. 82.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C.
an input channel made by said at least one digital logger.	D2: Page 21, lines 30 - Page 22, line	§102(b) as anticipated by D2.
	1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D9.
	D4: entire document.	·
	D5: Pages 5-9.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D7: entire document	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.
	D9: Pages 1-3.	This claim is invalid under 35 U.S.C.
	D11: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	§ 103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D3 and/or D9 and/or D11
	D12: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16, 38-54; Col. 6, lines 17-32, 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 8, lines 33-54; Col. 9,	and/or D12. s digital logger associated with input from a plurality of input channels in the network- based conference system of D2 to
	lines 12 – Col. 10, line 8; Figure 1, 2, 5-9.	make recordings available to more clients across a greater geographical area.
	D13: D14: entire document.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
		A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D3 and/or D9 and/or D11 and/or D12. s digital logger associated with input from a plurality of input channels in the network-based conference system of D2 to make recordings available to more clients across a greater geographical area.
6. The method of This claim wherein the step of retrieving	D1: Page 8, para. 99, 103.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
stored data comprises accessing archived data at the Web server corresponding to a record of an	D2: Page 21, lines 23-25. D3: Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
input channel made by said at least one digital logger.	D4: entire document.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D5: Pages 5-9.	This claim is invalid under 35 U.S.C.
	D6: Pages 5-11  D7: entire document  D9: Pages 1-3.  D12: Col. 2, line 47 - Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 - Col. 8, line 28; Col. 9, lines 12 - Col. 10, line 8; Figure 1.  D13: D14: entire document.	§102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D1 in combination with D2 and/or D3. It would have been obvious to a person of ordinary skill in the art to incorporate the archived data at the Web server of D2 and/or D3 and/or D9 and/or D12 in the call conference recording system of D1 and to make recordings available to more clients across a greater geographical area.  A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D2 and/or D3 and/or D9 and/or D12 in the call conference recording system of D1 and to make recordings available to more clients across a greater geographical area.
16. A method for accessing information stored by at least one digital logger storing data associated with input from a plurality of communication channels, comprising:	D1: Page 2, Para. 17, 30, 31, 34; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.  D2: Page 5, lines 11-12; Page 7, lines 10-20.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D2 G1 1 11 G1 G1 2 12	§102(b) as anticipated by D3.
	D3: Col. 1, line 54 - Col. 2, lines 19; Col. 3, lines 31-34; Col. 3, line 56 -	This claim is invalid under 35 U.S.C.
	Col. 4, line 9; Col. 10, lines 8-14.	§103(a) as obvious in view of D3 in
,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	combination with D1 and/or D2
	D4: entire document.	and/or D9 and/or D10 and/or D11
	D5 the language	and/or D12.
	D5: entire document	
	D6: entire document	
	D7: entire document	
	D8: entire document	
	D9: Pages 1-3.	
	Dy. rages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 55 – Col. 2,	
	line 55; Col. 3, lines 5-34; 47-56, Col.	
	4, lines 19-26; Col. 5, lines 17-37, 39-	
	47; Col. 7, lines 4-13.	
	D12: Col. 1, lines 1-7, 35-55; Col. 2,	
	lines 25-40; Col. 2, line 47 – Col. 3,	
	line 7; Col. 3, lines 37-49; Col. 5, lines	
	38-54; Col. 6, line 34 – Col. 8, line 55;	
	Figure 1, 2, 5-9.	
	D13: D14: entire document.	
at a Web server having access	D1: Page 2, Para. 17, 30, 31, 34; Page	This claim is invalid under 35 U.S.C.
to said information stored by at	3, para. 43, 45, 47, 48; Page 4, para.	§103(a) as obvious in view of D3 in
least one digital logger over a communications network,	51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.	combination with D1 and/or D2. It would have been obvious to one of
Communications notwork,	1 ago /, para. 02.	ordinary skill in the art to incorporate
	D2: Page 5, lines 11-12.	the web server and digital logger
	D2. G-1 0 H 4.7. G-1 2 H 21	associated with input from a plurality
	D3: Col. 2, lines 4-7; Col. 3, lines 31-46; Col. 9, line 67 – Col. 10, lines 8-	of input channels of D1 and/or D2 in the call conference recording system
	14; Col. 10, lines 59 – Col. 11, line 36.	of D3 to make recordings available to
		more clients/users across a greater
	D4: entire document.	geographical area.
	D5: Pages 5-9.	A digital logger designer of ordinary
		skill, facing the wise range of needs
	D6: Page 5-11	created by developments in the field of endeavor, would have seen a
	D7: entire document	benefit to incorporate the web server
		and digital logger assocated with
	D9: Pages 1-3.	input channels of D1 and/or D2 to the
	D10: Page 9, lines 22-24.	call conference recording system of D3 to make recordings available to
		more clients/users across a greater
	D11: Figure 3; Col. 2, lines 26-56;	geographical area.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	Col. 3, lines 5-34; 45-56; Col. 3, line	
	65 - Col. 4, line 3; Col. 4, lines 19-26,	
	43-49; Col. 4, line 63 – Col. 5, line 9;	
	Col. 5, lines 27-35, Col. 5, lines 56 –	
	Col. 6, line 2; Col. 6, lines 6-17, 47-54,	•
	56-64.	
	D10. Cal 2 lines 25 Cal 2 line 2.	
	D12: Col. 2, lines 25 – Col. 3, line 3; Col. 3, lines 7-37; Col. 5, line 38 –	
	Col. 6, lines 10-32; Figures 1, 2, 8.	
	Coi. 0, mos 10 52, 11galos 1, 2, 0.	
	D13: D14: entire document.	
receiving a request for retrieval	D1: Page 1, para. 15-17; Page 2, para	
of stored data from a user;	31, 35; Page 3, para. 38, 39, 45; Page	
	6, para. 72, 73, 77, 78; Page 10, claim	
	25.	
	D2: Page 20, lines 28-29.	
	102. rage 20, lines 20-29.	
	D3: Col. 3, lines 38-45; Col, 4, lines	
	10-21; Col. 5, lines 31-58; Col. 6, line	
	23 - Col. 7, line 44; Col. 7, line 57 -	
	Col. 8, line 19; Col. 11, lines 18-22.	
	D4. ontire de gumant	
	D4: entire document.	
	D5: Pages 5-9.	
	D6: Pages 5-11	
	D7: entire document	
	D9: Pages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 57 – Col. 2,	
	line 10; Col. 2, lines 10-16, 49-56; Col.	
	3, line 47 – Col. 5, line 26 – Col. 6, 6-	
	17, 47-53; line 55; Col. 7, lines 9-23.	
	D12: Col. 2, line 47 – Col. 3, line 3;	
	Col. 5, lines 3-16; Col. 6, lines 41-55;	
	Col. 7, line 57 – Col. 8, line 28; Col. 9,	
	lines 12 – Col. 10, line 8.	
	D13: D14: entire document.	
retrieving said stored data from	D1: Page 1, para. 15-17; Page 2, para.	
said information in accordance	31; Page 3, para. 38-45; Page 6, para.	
with the received request;	72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	The section decomposed	
	D4: entire document.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D3: Col. 3, lines 38-45; Col. 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 9, lines 18 – Col. 10, 14; Col. 10, line 47 – Col. 11, 22.	
,	D4: entire document.	
	D5: Pages 5-9.	
	D6: Pages 5-11	
	D7: entire document	
	D9: Pages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D12: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D13: D14: entire document.	
and transferring the retrieved data to the client.	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
	D4: entire document.	
	D5: Pages 5-9.	
	D6: Pages 5-11	
	D7: entire document	
	D9: Pages 1-3.	
	D10: Page 9, lines 22-24.	
	D11: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
18. The method of claim wherein the step of retrieving stored data comprises accessing call information for a record of a communication channel made by said at least one digital logger.	Prior Art Reference(s)  D12: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.  D13: D14: entire document.  D1: Page 2, Para. 17, 30, 31, 34, 35; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 74, 77, 78; Page 7, para. 82.  D2: Page 21, lines 30 - Page 22, line 1.  D3: Col. 9, lines 13-17; Col. 4, lines 47-54.  D4: entire document.  D5: Pages 5-9.  D7: entire document  D9: Pages 1-3.  D11: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D9.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D11.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D12.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 in combination with D1 and/or D3. It would have been obvious to one of ordinary skill in the art to incorporate
•	line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-	combination with D1 and/or D3. It would have been obvious to one of
	lines 12 – Col. 10, line 8; Figure 1, 2, 5-9.  D13: D14: entire document.	make recordings available to more clients across a greater geographical area.  A digital logger designer of ordinary skill, facing the wise range of needs
		created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D3 and/or D9 and/or D11 and/or D12. s digital logger associated with input from a plurality of input channels in the network-based conference system of D2 to make recordings available to more clients across a greater geographical area.
21. The method of This claim6 wherein the step of retrieving	D1: Page 8, para. 99, 103.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.

920 Claim	Prior Art Reference(s)	Invalidity Bases
stored data comprises accessing	D2: Page 21, lines 23-25.	
archived data at the Web server		This claim is invalid under 35 U.S.C.
corresponding to a record of a	D3: Col. 3, lines 59-64.	§102(b) as anticipated by D3.
communication channel made		
by said at least one digital	D4: entire document.	This claim is invalid under 35 U.S.C.
logger.		§102(b) as anticipated by D9.
	D5: Pages 5-9.	
	-	This claim is invalid under 35 U.S.C.
	D7: entire document	§102(b) as anticipated by D12.
	D9: Pages 1-3.	This claim is invalid under 35 U.S.C.
		§103(a) as obvious in view of D1 in
	D12: Col. 2, line 47 – Col. 3, line 3;	combination with D2 and/or D3. It
	Col. 5, lines 3-16; Col. 6, lines 41-55;	would have been obvious to a person
	Col. 7, line 57 – Col. 8, line 28; Col. 9,	of ordinary skill in the art to
	lines 12 – Col. 10, line 8; Figure 1.	incorporate the archived data at the
		Web server of D2 and/or D3 and/or
	D13: D14: entire document.	D9 and/or D12 in the call conference
		recording system of D1 and to make
		recordings available to more clients
		across a greater geographical area.
		A distract to an and an an of and non-
		A digital logger designer of ordinary
		skill, facing the wise range of needs
		created by developments in the field
		of endeavor, would have seen a
		benefit to incorporate D2 and/or D3
		and/or D9 and/or D12 in the call
		conference recording system of D1
		and to make recordings available to
		more clients across a greater
		geographical area.

079 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Teknekron Infoswitch website,	
	dated July 1997.(W\$N\$DE0010761)	
	D2: U.S. Patent No. 5,790,798 to	
	Beckett II, et al., issued August 4,	
	1998, filed May 31, 1996.	
	(WSNSDE0005413-31)	
	D3: U.S. Patent No. 5,867,559 to Jorgenson, et al., issued February 2, 1999, filed February 20, 1996. (WSNSDE0005592-600)	
	D4: U.S. Patent No. 6,263,049 B1 to Kuhn, issued July 17, 2001, filed September 25, 1997, claiming priority to U.S. Provisional Application Serial No. 60/028,192 filed October 10, 1996. (WSNSDE0006158-71)	
	D5: U.S. Patent No. 6,370,574 to House, et al., issued April 9, 2002, filed December 16, 1998. (WSNSDE0006331-55)	
	D6: U.S. Patent No. 6,600,821 to Chan, et al., issued July 29, 2003, filed October 26, 1999. (WSNSDE0006684-94)	
	D7: U.S. Patent No. 6,404,857 to Blair, et al., issued on June 11, 2002, filed February 10, 2000, claiming priority to U.S. Patent Application Ser. No. 08/936,428, filed September 24, 1997. (WSNB018866-74)	
	D8: Proxy Remote Control Gateway Gateway Administrator (FUNK000082-000141)	
1. A monitoring system for	D1: Desktop Screen Capture page.	Claim 1 is invalid under 35 U.S.C.
monitoring interactions of an	D0: online 1 line 21 25 and the	§102(b) as anticipated by D1.
agent with customers comprising:	D2: column 1, lines 21-25, and lines 52-56.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D2.
	D3: column 1, lines 7-9.	
	D4: column 1, lines 14-17, and lines 28-30.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	2000	Claim 1 is invalid under 35 U.S.C.
	D5: column 1, lines 35-38, and column 1, line 66 column 2, line 3.	§102(e) as anticipated by D4.
		Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D5.

079 Claim	Prior Art Reference(s)	Invalidity Bases
		Claim 1 is invalid under 35 U.S.C. §103(a) as obvious in view of D8 in combination with D1, D2, D3, D4, and/or D5.
a voice logger to receive and	D1: "Desktop Screen Capture" page.	
record audio of a telephone call of said agent;	D2: column 15, lines 20-27.	
	D3: column 1, lines 52-56.	
	D4: column 9, lines 45-61.	
	D5: column 6, lines 7-23.	·
a screen logger to receive and record video screen data	D1: "Desktop Screen Capture" page.	D8 discloses a screen logger to receive and record video screen data
associated with interactions of said agent with a computer	D2: column 4, lines 33-50.	associated with interactions of an agent with a computer. It would have
during the telephone call; and	D3: column 1, lines 56-61, and column 1, line 66 – column 2, line 4.	been obvious to one of ordinary skill in the art to include the screen
	D4: column 9, lines 45-61.	logging functions of D8 in the systems of D1, D2, D3, D4, and/or D5 for the purpose of logging screen
	D5: column 6, lines 7-23.	data.
	D8: Entire Document.	A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital recording loggers, would have seen a benefit to incorporate the screen logging teaching of D8 with the teachings of D1, D2, D3, D4, and/or D5 to log screen data.
an event manager to determine whether said interactions with	D1: "On Demand" page.	•
the computer during the telephone call meet at least one	D2: column 6, lines 15-26.	
predefined monitoring condition.	D3: column 3, lines 25-33.	
Condition.	D4: column 11, lines 1-14.	·
	D5: column 17, lines 8-13.	
3. The monitoring system of claim 1, wherein said event manager is able to instruct said	D1: "Desktop Screen Capture" page; "On Demand" page.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
voice logger to begin recording of an audio portion of said	D2: column 4, lines 33-50; column 6, lines 15-26.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D2.
telephone call and to instruct said screen logger to begin recording generally in	D3: column 1, lines 56-61; column 1, line 66 - column 2, line 4; column 3,	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D3.

079 Claim	Prior Art Reference(s)	Invalidity Bases
synchronicity with said voice logger at least a portion of said video screen data when said monitoring condition is satisfied.	Iines 25-33.  D4: column 9, lines 45-61; column 11, lines 1-14.  D5: column 6, lines 7-23; column 17, lines 8-13.	Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D4.  Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D5.
6. The monitoring system of claim 5, wherein said evaluator is able to perform automated evaluations based on predefined programming.	D1: "P&Q Review" page.  D4: column 9, lines 32-36.  D6: column 4, line 56 column 5, line 6.  D7: column 3, lines 7-43.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 6 is invalid under 35 U.S.C. §102(e) as anticipated by D4.  Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D6 in combination with D1 and/or D4.  Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D6 in combination with D1 and/or D4.  This claim is invalid under 35 U.S.C. § 103 as being obvious over D6 in combination with D1 and/or D4. It would have been obvious to one of ordinary skill in the art to incorporate the voice recognition technology of D6 into the call center monitoring system of D1 or D4 in order to detect problematic calls among those stored in the system.  A monitoring system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of monitoring systems, would have seen a benefit to incorporate the voice recognition technology of D6 with the teachings of D1 or D4 in order to detect problematic calls among those stored in the system.  Claim 6 is invalid under 35 U.S.C. §103 as obvious in view of D7 in combination with D1 and/or D4.  This claim is invalid under 35 U.S.C.
		§ 103 as being obvious over D7 in combination with D1 and/or D4. It would have been obvious to one of ordinary skill in the art to incorporate the voice recognition technology of D7 into the call center monitoring

079 Claim	Prior Art Reference(s)	Invalidity Bases
		system of D1 or D4 in order to
		determine the quality of service
		provided during the call.
		A monitoring system designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of
		monitoring systems, would have seen
		a benefit to incorporate the voice
		recognition technology of D7 with the
		teachings of D1 or D4 in order to
		determine the quality of service
		provided during the call.

109 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Patent No. 5,440,624,	7
	priority date of Nov. 10, 1992,	
	and issue date of Aug. 8,	
	1995.(WSNSDE0004554-70)	
	D1 discloses a method and	
	apparatus for providing adaptive	
	administration and control of an	
	electronic conference.	
	D2: U.S. Patent No. 6,298,129,	
	priority date of Mar. 11, 1998,	
	and issue date of Oct. 2,	
	2001.(WSNSDE0006185-95)	
	D2 discloses a teleconference	
	recording and playback system	
	and associated method.	
	D3: U.S. Patent No. 6,668,044	
	priority date of Jul. 19, 2000,	
	and issue date of Dec. 23, 2003.	
	(WSNSDE0006789-803) D3	
	1 1	
	discloses a system and method for recording telephonic	
	communications.	
	communications.	
	D4: PCT WO99/46702, priority	
	date of Mar. 13, 1998, and	
	publication date of Sep. 16,	
	1999.(WSNSDE0008501-40)	
	D4 discloses a method of	
	dynamic video annotation that	
	includes recording a	
	collaborative session of users.	
	D5: U.S. Patent Pub. No.	
	2001/0043697, priority date of	
	May 11, 1998, and publication	
	date of Nov. 22,	
	2001.(WSNSDE0000860-73)	
	D5 discloses monitoring of and remote access to call center	
	activity.	
	40471191	

109 Claim	Prior Art Reference(s)	Invalidity Bases
1. A method for recording at least a portion of one or more of a plurality of IP data sessions,		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
each being between at least a first communication device and a second communication device through a network by a		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D2.
recording device, comprising for each IP data session:		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
initiating the data session by said	D1, col. 3, II. 6-19; col. 5, ln. 30	
first communication device with said second communication	col. 7, ln. 16.	
device;	D2, col. 3, 11. 9-29.	
	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	
	D4, pg. 4, II. 1-6; pg. 7, II. 23-28; pg. 6, II. 3-10; pg. 11, II. 5-12.	
	D5, paras. 81 and 82.	
implementing the data session as a conference call through a conference controller such that	D1, col. 2, ll. 43 65; col. 5, ln. 62 col. 6, ln. 4; col. 6, ll. 54-61.	
said first and second communication devices are	D2, col. 5, ln. 59 col. 6, ln. 7.	
connected, respectively, as first and second participants;	D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.	·
	D4, pg. 7, II. 23-28; pg. 14, II. 24-32.	
	D5: paras. 28 32; 38, 56, 72, 82, 83, 84 and 85.	

ence(s) Invalidity Bases ol. 4, ln. 4; , ln. 6; col. 15.  col. 10, ll.
, In. 6; col. 15.
col. 10, II.
col. 10, II.
5, 49, 56, 72,
5, 49, 50, 72,
ol. 4, In. 4;
, ln. 6; col.
15.
ol. 4, ln. 25.
J. 4, III. 25.
col. 10, II.
con. 10, ii.
pg. 5, il. 23-
78. V1 M. AV
38, 56, 72,
,

109 Claim	Prior Art Reference(s)	Invalidity Bases
3. The method of claim 1, including the additional step of permitting a user of at least one of the first and second communication devices to determine whether the session is to be recorded prior to entering the recording device as the additional participant	D1, col. 3, ln. 62 – col. 4, ln. 4; col. 6, ln. 64 – col. 7, ln. 6; col. 7, ln. 59 - col. 8, ln. 15.  D2, col. 2, ll. 9-16.  D3, col. 6, ll. 11-39; col. 10, ll. 50-60; Fig. 6.  D4, pg. 8, ll. 7 – 32.  D5 as applied to claim 1 above.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.  This claim is invalid 35 U.S.C. § 103 as being obvious over D5 in combination with any one of D1, D2, D3 or D4. It would have been obvious to one of ordinary skill in the art to incorporate the user permission teachings of documents D1, D2, D3 or D4 with the teachings of D5 to provide users with the option to initiate a recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate the user permission teachings of documents D1, D2, D3 or D4 with the teachings of D5 to provide users with the option to initiate a recording session to provide users with the option to initiate a recording session to provide users with the option to initiate a recording session.

109 Claim	Prior Art Reference(s)	Invalidity Bases
4. The method of claim 1,	D2, col. 3, 11. 9-29.	This claim is invalid under 35
wherein the connection of the	102,000.0,11.0	U.S.C. §102(e) as anticipated by
second communication device is	D3, col. 6, Il. 11-39; col. 10, Il.	D2.
established by the conference	50-60; Fig. 6.	
controller by: passing telephone	00 00,123,11	This claim is invalid under 35
numbers to a gatekeeper for	D4, pg. 4, II. 2-7; pg. 6, II. 3-10.	U.S.C. §102(e) as anticipated by
performing IP address	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	D3.
resolution, and using a resolved	D5: Para. 31.	
IP address of the second		This claim is invalid under 35
communication device for		U.S.C. §102(b) as anticipated by
connecting the second		D4.
communication device to the		
conference call.		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
6. The method of claim 5,	D1, col. 8, Il. 32 – 46; col. 9, Il.	This claim is invalid under 35
including the additional step of	18-31; col. 9, II. $51-63$ .	U.S.C. §102(b) as anticipated by
providing the command from a		D1.
scheduler.	D2, col. 6, Il. 26-39.	
		This claim is invalid under 35
	D5, para. 91.	U.S.C. §102(e) as anticipated by
	Da 11.1. 11.51	D2.
	D3, as applied to claim 5 above.	This states to two still and an OF
	D41:-41-: 5 -1	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
	D4, as applied to claim 5 above.	D5.
		D3.
		This claim is invalid 35 U.S.C. §
		103 as being obvious over D3 or
		D4 in combination with any one
		of D1, D2 or D5. It would have
		been obvious to one of ordinary
		skill in the art to incorporate the
		scheduler teachings of
		documents D1, D2 or D5 with
		the teachings of D3 or D4 to
		provide scheduled recording of
		calls.
		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen a benefit to
		incorporate the scheduler
		teachings of documents D1, D2
		or D5 with the teachings of D3
		or D4 to provide scheduled recording of calls.
		recording or caris.
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109 Claim	Prior Art Reference(s)	Invalidity Bases
8. The method of claim 6,	D1, col. 5, Il. 39-53; col. 7, Il. 16	This claim is invalid under 35
including the additional step of	-col. 8, ln. 16.	U.S.C. §102(b) as anticipated by
analyzing information about the		D1.
IP data session at the scheduler	D5, paras. 89 – 92.	
to determine whether the IP data	- 1	This claim is invalid under 35
session is to be recorded.	D2, as applied to claim 6 above.	U.S.C. §102(e) as anticipated by
		D5.
	D3, as applied to claim 6 above.	
	1 2	This claim is invalid 35 U.S.C. §
	D4, as applied to claim 6 above.	103 as being obvious over D1 or
		D5 in combination with any one
		of D2, D3 or D4. It would have
		been obvious to one of ordinary
		skill in the art to incorporate the
		analysis teachings of documents
		D1 or D5 with the teachings of
	•	D2, D3 or D4 to provide
		scheduling based on the IP data
		session information.
·		A call recording systems
		designer of ordinary skill in the
		art, facing the wide range of
		needs created by developments
		in the field of endeavor, would
		have seen a benefit to
		incorporate the analysis
		teachings of documents D1 or
		D5 with the teachings of D2, D3
		or D4 to provide scheduling
		based on the IP data session
	-	information.
15. The method of claim 1,	D2, col. 3, 11. 9-40.	This claim is invalid under 35
wherein said first		U.S.C. §102(e) as anticipated by
communication device is a	D3, col. 5, II. 50 – col. 6, II. 11.	D2.
gateway for receiving	D4 10 II 05 00 14 1-	mid -1-5- 1-514 18
communication through a PSTN.	D4, pg. 10, II. 25-28; pg. 14, ln	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
	25 – pg. 15, ln. 2.	D3.
,	D5, para. 48	D.J.
	DD, para. 70	This claim is invalid under 35
		U.S.C. §102(b) as anticipated by
		D4.
		This claim is invalid under 35
		U.S.C. §102(e) as anticipated by
		D5.
16. The method of claim 1,	D5, paras. 47 and 58.	This claim is invalid under 35
wherein the recording device	_	U.S.C. §102(e) as anticipated by
joins the data session performed		D5.
through a hunt group.		

109 Claim	Prior Art Reference(s)	Invalidity Bases
18. The method of claim 1, wherein at least one of the first	D1, col. 6, 11. 33-53.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
communication device and the second communication device is	D2, col. 3, II. 9-29.	D1.
a non-IP telephony device	D3, col. 5, ll. 50 – col. 6, ll. 11.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by
	D4, pg. 10, ln. 25 – pg. 11, ln. 4.	D2.
	D5, paras. 48 and 49.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D3.
		This claim is invalid under 35 U.S.C. §102(b) as anticipated by D4.
		This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.
22. The method of claim 21, including the additional step of	D1, col. 8, II. 32 – 46; col. 9, II. 18 – 31; col. 9, II. 51 – 63.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by
providing the command from a		D1.
scheduler.	D2, col. 6, ll. 26-39.	This claim is invalid under 35
	D5, para. 91.	U.S.C. §102(e) as anticipated by D2.
	D3, as applied to claim 21 above.	This claim is invalid under 35
	D4, as applied to claim 21	U.S.C. §102(e) as anticipated by D5.
	above.	This claim is invalid 35 U.S.C. § 103 as being obvious over D3 or D4 in combination with any one of D1, D2 or D5. It would have been obvious to one of ordinary skill in the art to incorporate the scheduler teachings of documents D1, D2 or D5 with the teachings of D3 or D4 to provide scheduled recording of calls.
		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate the scheduler teachings of documents D1, D2 or D5 with the teachings of D3 or D4 to provide scheduled recording of calls.

109 Claim	Prior Art Reference(s)	Invalidity Bases
24. The method of claim 22,	D1, col. 5, Il. 39-53; col. 7, Il. 16	This claim is invalid under 35
including the additional step of analyzing information about the	-col. 8, ln. 16.	U.S.C. §102(b) as anticipated by D1.
IP data session at the scheduler	D5, paras. $89 - 92$ .	This claim is invalid under 35
to determine whether the IP data session is to be recorded.	D3, as applied to claim 22 above.	U.S.C. §102(e) as anticipated by D5.
	D4, as applied to claim 22 above.	This claim is invalid 35 U.S.C. § 103 as being obvious over D1 or D5 in combination with any one of D3 or D4. It would have been obvious to one of ordinary skill in the art to incorporate the analysis teachings of documents D1 or D5 with the teachings of D2, D3 or D4 to provide scheduling based on the IP data session information.
		A call recording systems designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate the analysis teachings of documents D1 or D5 with the teachings of D2, D3 or D4 to provide scheduling based on the IP data session information.
29. The method of claim 18, wherein the recording device joins the data session performed through a hunt group.	D5, paras. 47 and 58.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D5.

# **EXHIBIT E**

#### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD,

> Plaintiffs and Counterclaim Defendants,

C.A. No. 06-311-JJF

V.

WITNESS SYSTEMS, INC.

Defendant and Counterclaim Plaintiff.

#### DEFENDANT WITNESS SYSTEMS, INC. S THIRD SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD. S INTERROGATORY 2 and 2(a)

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of the District of Delaware, Defendant Witness Systems, Inc. (Witness Systems) provides the following third supplemental objections and responses to the Interrogatories propounded by Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, NICE). Subject to and without waiving its previously stated objections, Witness Systems incorporates by reference its original, first and second supplemental responses and objections to NICE's First and Second Sets of Interrogatories<sup>1</sup> as if set forth verbatim herein, and for brevity provides only the supplemental information for the identified interrogatories below:

Served on January 18, 2007; March 2, 2007; April 30, 2007; and May 30, 2007, respectively.

#### SUPPLEMENTAL RESPONSES

#### **INTERROGATORY NO. 2:**

Describe in detail the factual and legal bases for Witness' contention that [the claims of the 738, 371, 005, 345, 372, 370, 920, 079, and 109 patents are invalid for failure to comply with the United States patent laws, 35 U.S.C. §§ 1, et seq., including without limitation § § 102, 103, and/or 112. The detailed description of such factual and legal bases should include, without limitation, an identification of which aspect(s) of 35 U.S.C. § 112 Witness contends the Patents-In-Suit do not meet and an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:

Witness believes one or more of the claims of the 738 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: U.S. Patent No. 4,995,054 to Boyd, Jr. et al., issued September 4, 1990; and U.S. Patent No. 4,817,086 to Oye et al., issued March 18, 1989. These references were identified in invalidity charts provided in Witness's previous responses to Interrogatory No. 2(a).

Witness believes one or more of the claims of the 005 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: Sale of Eyretel e1000, sold in the U.S. on or before October, 1992; 30(b)(6) Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143; e1000 Circuit Diagrams; "E1000/E500 Recorder: Engineer Familiarisation"; U.S. Patent No. 5,724,738, to Daly et al.; "Digital Audio Tape For Data Storage", IEEE Spectrum, October, 1989; Racal Rapidax, sold in the U.S. as of at least December 21, 1992; "Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions"; "Rapidax Access Voice Logging Recorder"; "Rapidax Instant Call Recorder"; "Rapidax in Surveillance and Security Monitoring"; "Operator s Manual"; "System Manager s Manual"; "Rapidax Tape Archive and System Network";

Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143; and Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. These references were identified in invalidity charts provided in Witness's previous responses to Interrogatory No. 2(a).

Witness believes one or more of the claims of the '920 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: "Rapidax Tape Archive and System Network"; "Rapidax in Surveillance and Security Monitoring"; "Rapidax Access Voice Logging Recorder"; "Operator's Manual"; and Parnes et al, "mMOD: the multicast Media-on-Demand system," dated March 6, 1997.

Witness believes one or more of the claims of the '372 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: Parnes et al, "mMOD: the multicast Media-on-Demand system," dated March 6, 1997.

Witness believes one or more claims of the '079 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: Teknekron Infoswitch Web Site, dated July 1997; U.S. Patent No. 5,867,559 to Jorgenson, et al., issued February 2, 1999; U.S. Patent No. 6,404,857 to Blair, et al., issued on June 11, 2002; and "Proxy Remote Control Gateway Gateway Administrator". These references were identified in invalidity charts provided in Witness's previous responses to Interrogatory No. 2(a).

#### **INTERROGATORY NO. 2(a):**

On a claim-by-claim basis in a chart, for each prior art reference identified by Witness in response to NICE's Interrogatory No. 2, identify the disclosure in each prior art reference of each limitation of the Asserted Claims in the respective Patent-in-Suit. To the extent that Witness asserts the prior art references support its invalidity defense under 35 U.S.C. § 103, it must further identify any prior art combinations and the motivation to combine those references.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Supplemental Exhibit B, which identifies additional representative, invalidating prior art for the '372 and '920 patents. Numerous other prior art references also contain the identified disclosures. Witness Systems reserves its right to amend and/or supplement this response as discovery and Witness Systems' investigation continue, and after any claim construction ruling. Witness Systems specifically reserves the right to supplement and/or amend its response in light of information and materials that it is currently seeking from third parties.

DATED: July 10, 2007

FISH & RICHARDSON P.C.

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on July 10, 2007, I caused to be served DEFENDANT WITNESS SYSTEMS, INC.'S THIRD SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC.'S AND NICE SYSTEMS LTD.'S INTERROGATORIES 2 and 2(a) on counsel for Plaintiffs as follows:

#### By E-Mail and U.S. First Class Mail:

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/s/ Kyle Wagner Compton Kyle Wagner Compton (#4693)

# **SUPPLEMENTAL EXHIBIT B**

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Blue Cross Blue Shield Eclipse, sold	
	in the U.S. before June 2, 1998.	
	D2: Blue Cross Blue Shield User	
	Guide (illustrating hardware of D1 sale)	
	(WSNSDE0012983-92)	
	D3: Application Development Guide -	
	Blue Cross / Blue Shield Eclipse Project	
	Eclipse Modification and Design (illustrating hardware of D1 sale)	
	(WSNSDE0012967-82)	
	D4. Tracking A gent Id through Inter	
	D4: Tracking Agent Id through Inter- Site Call Transfers (illustrating hardware	
	of D1 sale)(WSNSDE0012993-4)	
	D5: Blue Cross Blue Shield System	
	Diagrams (illustrating hardware of D1	
	sale)(WSNSDE0013084-7;	
	WSNSDE0013177-83)	
	D6: e1000 Circuit Diagrams (illustrating	
	the hardware of the D1 sale).	
	(WSNSDE0013861-94;	
	WSNSDE0050671)	
	D7: E1000/E500 Recorder: Engineer	
	Familiarisation (illustrating the hardware of the D1 sale). (WSNSDE0015161-98)	
	of the D1 saley, (WBNSDES015101-98)	
	D8: U.S. Publication No. 2001/0043697	
	to Cox, published November 22, 2001, filed on May 11, 1998.	
	(WSNSDE0000874-94)	
	DO. DOT Dublication No. WO 00/10005	
	D9: PCT Publication No. WO 98/13995 to Smythe, published April 2, 1998, filed	
	September 25, 1997. (WSNSDE0008433-	
	77)	
	D10: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	D11: Racal s Rapidax Voice Logging	
	Recorders Offers Instant Message Recall	
	of Multichannel Calls, Transmissions,	
	dated June 4, 1991. (NSDE008300- 008302) (evidencing the hardware of the	
	D10 sale).	
	D12: Rapidax Access Voice Logging Recorder. (NSDE008312-008319)	
	(evidencing the hardware of the D10	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	sale).	
	D13: "Rapidax Instant Call Recorder," (NSDE008305-008309) (evidencing the hardware of the D10 sale).	
	D14: "Rapidax in Surveillance and Security Monitoring" (NSDE008310-008311) (evidencing the hardware of the D10 sale).	
	D15: "Operator's Manual." (NSDB008320-008324) (evidencing the hardware of the D10 sale).	
	D16: "System Manager's Manual." (NSDE008325-008340) (evidencing the hardware of the D10 sale).	
	D17: "Rapidax Tape Archive and System Network." (NSDE008303-008304) (evidencing the hardware of the D10 sale).	
	D18: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing the hardware of the D10 sale).	
~	D19: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D10 sale).	
	D20: R[a]cal Recorders, Inc.; "R[a]cal Adds Remote Replay Over LAN' to Wordnet Voice Logging Recorder," dated June 17, 1996. (NSDE 004715-16)	
	D21: "Proposal for a Quality Monitoring / Agent Evaluation System", dated August 20, 1998. (WSNDE 013060-066)	
	D22: Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059) (evidencing the hardware and function of the D21 offer for sale.)	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D23: "Racal Worldnet' Second Generation of World's Best Selling Voice-Logging Recorder," June 28, 1995. (NSDE 004715-16).	
	D24: United States Patent No. 6,222,838 to Sparks, filed November 26, 1997.	
	D25: Parnes et al, "mMOD: the multicast Media-on-Demand system," dated March 6, 1997.	
A multi-stage data     logging system comprising:	D1: D3, pg. 5; D5.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
togging system comprising	D10: D11, Pages 1-3; D13, entire document; D14: entire document; D15: entire document.	Claim 1 is invalid under 35 U.S.C. \$102(e) as anticipated by D8.
	D20: entire document.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D23: entire document.  D24: FIG. 3; Col. 1, line 55	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D25: pgs. 1-6.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D24.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		on-Demand system to record audio
		received from a telecom stage.
		A media on demand system designer
		of ordinary skill in the art, facing the
		wide range of needs created by developments in the field of media on
		demand systems, would have seen a
		benefit to include the ability to receive
		communication channels via a telecom stage, as in D1, D8, D9, D10, D11,
		D20, D21, D23, or D24 with the
		teaching of D25 to permit playback of
		recordings received in a distributed system, and with many participants
		using diverse methods of participation.
	D1 D0 5 (. D5	
a) a telecommunications ("telecom") stage receiving	D1: D3, pgs. 5-6; D5.	
input from a plurality of	D8: paras. 46 to 48.	
communication channels;	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2.	
	Dy. Flo. 2, pg. 0, the 33 – pg. 7, mic 2.	-
	D10: D11, Page 2; D12, Page 6; D14:	
	entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 2, lines 26-56; Col. 3,	
	lines 5-34; 45-56; Col. 3, line 65 – Col. 4,	
	line 3; Col. 4, lines 19-26, 43-49; Col. 4, line 63 – Col. 5, line 9; Col. 5, lines 27-	
	35, Col. 5, lines 56 – Col. 6, line 2; Col.	
	6, lines 6-17, 47-54, 56-64.	
	D25: pgs. 1-6.	
b) a recorder stage having	D1: D3, pgs. 5-7, and 16; D4, pgs. 3-5;	
one or more recorders, at	D5; D6; D7.	
least one recorder logging	D8: paras. 34, 38, 39, 43, 58, 71-75, and	
data associated with information transmitted on	78.	
at least one of said plurality		
of communication channels;	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2.	
	D10: D11, Page 2; D14, Page 6; D14:	
	entire document; D15: entire document.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. I, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
c) a distribution stage providing access to data	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
logged in the recorder stage;	D8: para. 40-42.	
	D9: FIG. 2, pg. 21, line 23 - pg. 22, line 2.	•
	D10: D11, Pages 1-3, D12, Page 6, 7; D14, Page 1; D17, Page 2; D16, Pages 6- 16; D13, entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D25: pgs. 1-6.	
d) a first interface linking the telecom and the recorder	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
stages and a second interface linking the	D8: FIG. 1; para. 46-48.	
recorder and the distribution stages;	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Page 6, 7; D17, Page 2; D16, Pages 6-16; D13,	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	entire document; D14: entire document;	
	D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
wherein at least two stages	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
of the system are physically separable and in operation can be located wide	D8: FIG. 1; para. 30-33.	
distances apart.	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document, 4; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
6. The data logging system of claim 1 wherein the	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
telecom stage provides time	D8: para. 35, 99.	Claim 6 is invalid under 35 U.S.C.
stamping of the received input.	D9: FIG. 2, pg. 21, line 30 - pg. 22, line	§102(e) as anticipated by D8.
	1.	Claim 6 is invalid under 35 U.S.C.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D10: D11, Pages 1-3, D12, Pages 2-7;	§102(b) as anticipated by D9.
	D14, entire document; D17, Page 2; D16,	Claim 6 in invalid under 25 H C C
	Pages 6-16; D13, entire document; D14: entire document; D15: entire document.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	chare document, D15. Chare document.	\$102(0) as anticipated by D10.
	D11: entire document.	Claim 6 is invalid under 35 U.S.C.
		§102(b) as anticipated by D11.
	D20: entire document.	
		Claim 6 is invalid under 35 U.S.C.
	D21: entire document; D22: entire	§102(b) as anticipated by D20.
	document.	Claim 6 is invalid under 35 U.S.C.
· ·	D23: entire document.	\$102(b) as anticipated by D21.
	B25. Chine document.	3102(0) is discorption by D21.
	D25: pgs. 1-6.	Claim 6 is invalid under 35 U.S.C.
		§102(b) as anticipated by D23.
		Claim 6 is invalid under 35 U.S.C.
		§102(b) as anticipated by D25, or in
		the alternative, under 35 U.S.C. §103
		as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23,
		and/or D24.
		It would have been obvious to one of
		ordinary skill in the art to include the
		ability to receive communication
		channels from a telecom stage, as in
		D1, D8, D9, D10, D11, D20, D21,
		D23, or D24, in the recording system of D25 to enable the multicast Media-
		on-Demand system to record audio
		received from a telecom stage.
		A media on demand system designer
		of ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of media on
		demand systems, would have seen a
		benefit to include the ability to receive communication channels via a telecom
		stage, as in D1, D8, D9, D10, D11,
		D20, D21, D23, or D24 with the
		teaching of D25 to permit playback of
		recordings received in a distributed
		system, and with many participants
		using diverse methods of participation.
14. The data logging system		Claim 14 is invalid under 35 U.S.C.
of claim 1 wherein the		\$102(b) as anticipated by D1.
distribution stage comprises:		Brosto, no manospulou of Bri
		Claim 14 is invalid under 35 U.S.C.
		§102(e) as anticipated by D8.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		Claim 14 is invalid under 35 U.S.C.
		§102(b) as anticipated by D9.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
c1) a first interface receiving data from the recorder stage;	D1: D3, Page 5; D5.  D8: para. 31, 40-45, 90-94, 108, 109.	
7		
	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2;	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
c2) a controller for directing and monitoring distribution	D1: D2, pgs. 3-4, 7; D3, pgs. 5-7; D5.	
stage operations;	D8: para. 31, 40-45, 90-94, 108, 109.	·
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	
	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
c3) a buffer for transitional data storage; and	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23; entire document.	
	D25: pgs. 1-6.	
c4) a second interface for distributing data to one or more output channels.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
more output chamiers.	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	·
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
15. The data logging system of claim 1 wherein the distribution stage comprises	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
an archive storage device for archiving data.	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	D11: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D20: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
	D21: entire document; D22: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document.	
	D25: pgs. 1-6.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D23.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
17. The data logging system of claim 15 wherein said archive storage device is a RAID array.		Claim 17 is invalid under 35 U.S.C. §103 as obvious over D1 and/or D9 and/or D10 and/or D11 and/or D20 and/or D21 and/or D23 and/or D25.
		It would have been obvious to one of ordinary skill in the art to replace a hard disk drive, as in D1, D9, D10, D11, D20, D21, D23 or D25 with a RAID array, as was known in the art, to increase data integrity, data storage capacity, and/or fault-tolerance.
		A data logging system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of data logging systems, would have seen a benefit to replace a RAID array with the hard disk drive teachings of DI, D9, D10, D11, D20, D21, D23 or D25 to increase data integrity, data storage

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		capacity, and/or fault-tolerance.
19. The data logging system of claim 1 wherein the		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
distribution stage comprises:		Claim 19 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21,
		D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on
		demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11,
		D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		system, and with many participants using diverse methods of participation.
an operating system software application and a computer capable of	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
running said software application and accessing	D8: para. 31, 40-45, 90-94, 108, 109.	
one or more remote serve computers.	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, Page 1, 4; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	·
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
32. The data logging system of claim 1, wherein the distribution stage is	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
implemented as a network server.	D8: para. 40-42.	Claim 32 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	Claim 32 is invalid under 35 U.S.C. \$102(b) as anticipated by D10.
	D11: entire document.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D20: entire document.	Claim 32 is invalid under 35 U.S.C.
	D21: entire document; D22: entire document.	§102(b) as anticipated by D20.
	D23: entire document.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D25: pgs. 1-6.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
372 Claim	Prior Art Reference(s) (if applicable)	as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.  It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed
		D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by
		demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of
33. The data logging system of claim 32, wherein the network server is a Web server.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 40-42.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. §103 as obvious over D1 in view of D8.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.  D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16,	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D10, or in the alternative, under 35 U.S.C. §103 as obvious over D10 in view of D8.
	Pages 6-16; D13, entire document.  D20: entire document.  D21: entire document; D22: entire	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D20, or in the alternative, under 35 U.S.C. §103 as obvious over D20 in view of D8.
	document.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document. D25: pgs. 1-6.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D23, or in the alternative, under 35 U.S.C. §103 as obvious over D23 in view of D8.
		Claim 33 is invalid under 35 U.S.C. §102(e) as anticipated by D8.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
	î	D8 discloses a call center with call recording capabilities, where the call center is accessible via a web server and a browser. It would have been obvious to one of ordinary skill in the art to utilize a web server to permit remote access, as in D1, D10, D20, D23, and/or D25 from web-based clients, as the world-wide-web is a popular and easily accessible network for remotely connecting to a computer/network.
		A data logging system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of data logging systems, would have seen a benefit to incorporate a web server of D8 with the teachings of D1, D10, D20, D23, or D25 to permit remote access from the world-wide-web, which is a popular and easily

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		accessible network for remotely
		connecting to a computer/network.
		Claim 33 is invalid under 35 U.S.C.
		§102(b) as anticipated by D9.
34. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 34 is invalid under 35 U.S.C.
of claim 32, wherein the	D5.	§102(b) as anticipated by D1.
network server is a file		(
server.	D8: para. 40-42.	Claim 34 is invalid under 35 U.S.C.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2;	§102(e) as anticipated by D8.
	pg. 21, line 23 – pg. 22, line 2.	Claim 34 is invalid under 35 U.S.C.
	Pg. 21, m. 25 Pg. 22, m. 2	§102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7;	
	D14, entire document; D17, Page 2; D16,	Claim 34 is invalid under 35 U.S.C.
	Pages 6-16; D13, entire document.	§102(b) as anticipated by D10.
	D20: entire document.	Claim 34 is invalid under 35 U.S.C.
		§102(b) as anticipated by D20.
	D21: entire document; D22: entire	G
	document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document.	g102(b) as anticipated by B21.
		Claim 34 is invalid under 35 U.S.C.
	D25: pgs. 1-6.	§102(b) as anticipated by D25, or in
		the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1,
		D8, D9, D10, D11, D20, D21, D23,
		and/or D24.
		Year Idla a base above a consecutive
		It would have been obvious to one of ordinary skill in the art to include the
		ability to receive communication
		channels from a telecom stage, as in
		D1, D8, D9, D10, D11, D20, D21,
		D23, or D24, in the recording system of D25 to enable the multicast Media-
		on-Demand system to record audio
		received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of media on
		demand systems, would have seen a
		benefit to include the ability to receive
		communication channels via a telecom stage, as in D1, D8, D9, D10, D11,
		D20, D21, D23, or D24 with the
		teaching of D25 to permit playback of
		recordings received in a distributed
		system, and with many participants
		using diverse methods of participation.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
43. A data logger, comprising:		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
		Claim 43 is invalid under 35 U.S.C. \$102(e) as anticipated by D8.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D24.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom device, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
a telecommunication device	D1: D6, and D7 Pages 2-5.	
receiving input from a plurality of communication channels;	D8: paras. 46 to 48.	
,	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23	
	D25: pgs. 1-6.	
a processor converting the received input to one or	D1: D6, and D7 Pages 2-5.	
more data formats;	D8: paras. 47 to 52.	
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
a memory for logging information about the	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	
received input, the information comprising data	D8: para. 34-35, 38, 78, and 99.	
converted to at least one data format;	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
a communication path to a communications network;	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
and	D8: para. 40-42.	
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	19-26; Col. 5, lines 17-37, 39-47; Col. 7,	
	lines 4-13.	
	D25: pgs. 1-6.	
a server having access to the memory via the	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
communications network for transferring logged data	D8: para. 40-42.	
from one or more of said plurality of communication channels via the	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
communications network to at least one remote user.	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: D11: FIG. 3; Col. 2, lines 26-56; Col. 3, lines 5-34; 45-56; Col. 3, line 65 – Col. 4, line 3; Col. 4, lines 19-26, 43-49; Col. 4, line 63 – Col. 5, line 9; Col. 5, lines 27-35, Col. 5, lines 56 – Col. 6, line 2; Col. 6, lines 6-17, 47-54, 56-64.	
	D25: pgs. 1-6.	
44. The data logger of claim 43 wherein the server is a Web server and the	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 44 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
communications network is the Internet.	D8: para. 40-42.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	alternative, under 35 U.S.C. §103 as obvious over D1 in view of D8.
	D11: entire document	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D10, or in the alternative, under 35 U.S.C. §103
	D21: entire document; D22: entire document.	as obvious over D10 in view of D8.
	D24: FIG. 3; Col. 2, lines 26-56; Col. 3, lines 5-34; 45-56; Col. 3, line 65 – Col. 4, line 3; Col. 4, lines 19-26, 43-49; Col. 4,	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D11, or in the alternative, under 35 U.S.C. §103 as obvious over D1 in view of D8.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	line 63 – Col. 5, line 9; Col. 5, lines 27-	G
	35, Col. 5, lines 56 – Col. 6, line 2; Col.	Claim 44 is invalid under 35 U.S.C.
	6, lines 6-17, 47-54, 56-64.	§102(b) as anticipated by D21, or in
	D25: max 1.6	the alternative, under 35 U.S.C. §103 as obvious over D21 in view of D8.
	D25: pgs. 1-6.	as obvious over D21 in view of D8.
		Claim 44 is invalid under 35 U.S.C.
		§102(b) as anticipated by D23, or in
		the alternative, under 35 U.S.C. §103
		as obvious over D23 in view of D8.
		Claim 44 is invalid under 35 U.S.C.
		§102(b) as anticipated by D24, or in
		the alternative, under 35 U.S.C. §103
		as obvious over D24 in view of D8.
		D8 discloses a call center with call
		recording capabilities, where the call
		center is accessible via the Internet, a
		web server and a browser. It would
		have been obvious to one of ordinary
		skill in the art to utilize a web server to
		permit remote access, as in D1 and/or
		D10 and/or D11 and/or D21 and/or
		D23 and/or D24, from Internet-based
		clients, as the world-wide-web is a
		popular and easily accessible network for remotely connecting to a
		computer/network.
		computer/network.
		A data logging system designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of data
		logging systems, would have seen a
	·	benefit to incorporate a web server of
		D8 with the teachings of D1 and/or
		D10 and/or D11 and/or D21 and/or
		D23 and/or D24 to permit remote
		access from the world-wide-web,
		which is a popular and easily
		accessible network for remotely
		connecting to a computer/network.
		Claim 44 is invalid under 35 U.S.C.
		\$102(b) as anticipated by D25, or in
		the alternative, under 35 U.S.C. § 103
		as obvious over D25 in view of D1,
		D8, D9, D10, D11, D20, D21, D23,
		and/or D24.
		The second section is a second
		It would have been obvious to one of
		ordinary skill in the art to include the
		ability to receive communication

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		channels from a telecom device, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Publication No.	
	2001/0043697 to Cox, published	
	November 22, 2001, filed on May 11,	
	1998.(W\$N\$DE0000874-94)	
	DA. DCT Publication No. 1970	·
	D2: PCT Publication No. WO	
	98/13995 to Smythe, published April	
	2, 1998, filed September 25,	
	1997.(WSNSDE0008433-77)	
	D3: U.S. Patent No. 5,668,863 to	
	Bieslin, filed April 26, 1996, claiming	
	priority to U.S. Application Serial No.	
	08/509,390, filed June 31,	
	1995.(WSNSDE0005185-5222)	
-	D4: Blue Cross Blue Shield Eclipse,	
	sold in the U.S. before June 2, 1998.	
	D5: Blue Cross Blue Shield User	
	Guide (illustrating hardware of D1	
	sale) (WSNSDE0012983-92)	
	Sale) (W 3143DE0012903-92)	
	D6: Application Development Guide	
	- Blue Cross / Blue Shield Eclipse	
	Project Eclipse Modification and	
	Design (illustrating hardware of D4	
	sale) (WSNSDE0012967-82)	
	sale) (W3N3DE0012907-82)	
	D7: Tracking Agent Id through Inter-	
	Site Call Transfers (illustrating	
	hardware of D1	
	sale)(WSNSDE0012993-4)	
	5410)(110101120012001	
	D8: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	DOL Boool Adda Barrata Barrara	
	D9: Racal Adds Remote Replay	
	Over LAN to Wordnet Voice-Logging	
	Recorder, dated June 17, 1996 (NSDE	
	004715-16)	
	D10: Rapidax Tape Archive and	
	System Network. (NSDE008303-	
	008304) (evidencing hardware of D8	
	sale)	
	D11: Rapidax in Surveillance and	
	Security Monitoring (NSDE008310-	
	008311) (evidencing hardware of D8	
	sale).	
	D12: Rapidax Access Voice Logging	
	Recorder. (NSDE008312-008319)	
L	(evidencing hardware of D8 sale).	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D13: "Operator s Manual." (NSDE008320-008324) (evidencing hardware of D8 sale).	
	D14: Deposition of Andrew Jackson in Dictaphone CorPage vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDB008273-008299) (evidencing hardware of D8 offer for sale).	
	D15: United States Patent No. 6,222,838 to Sparks, filed November 26, 1997.	
	D16: European Patent Publication 0837388A2, to Yamakita, filed October 9, 1997, claiming priority to October 15, 1996.	
	D17: "Proposal for a Quality Monitoring / Agent Evaluation System", dated August 20, 1998. (WSNDE 013060-066)	
	D18: Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059) (evidencing the hardware and function of the D17 offer for sale.)	
	D19: Parnes et al, "mMOD: the multicast Media-on-Demand system," dated March 6, 1997	
1. A method for accessing information in at least one digital logger storing data	D1: Page 2, Para. 17, 30, 31, 34; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78;	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.
associated with input from a plurality of input channels, comprising:	Page 7, para. 82.  D2: Page 5, lines 11-12; Page 7, lines	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
	10-20.  D3: Col. 1, line 54 - Col. 2, lines 19;	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	Col. 3, lines 31-34; Col. 3, line 56 Col. 4, line 9; Col. 10, lines 8-14.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.
	D4: D5, entire document; D6, entire document; D7: entire document.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D9.
	document.	This claim is invalid under 35 U.S.C.

920 Claim	Prior Art Reference(s)	Invalidity Bases
		§ 102(b) as anticipated by D15
ì	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D16
	D14: Page 9, lines 22-24.	g 102(b) as anticipated by D10
	D15: Figure 3; Col. 1, line 55 Col. 2,	This claim is invalid under 35 U.S.C.
	line 55; Col. 3, lines 5-34; 47-56, Col.	§ 102(b) as anticipated by D17
	4, lines 19-26; Col. 5, lines 17-37, 39-	mr. 1
	47; Col. 7, lines 4-13.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D19
	D16: Col. 1, lines 1-7, 35-55; Col. 2,	g 102(b) as anticipated by D1)
	lines 25-40; Col. 2, line 47 Col. 3,	This claim is invalid under 35 U.S.C.
	line 7; Col. 3, lines 37-49; Col. 5, lines	§103(a) as obvious in view of D2 or
	38-54; Col. 6, line 34 Col. 8, line 55;	D3 in combination with D1 and/or D2
	Figure 1, 2, 5-9.	and/or D9 and/or D14 and/or D15 and/or D16 and/or D19.
	D17: D18: entire document.	and of DIV major DIV.
	D19: Page 1-6.	
at a Web server having access	D1: Page 2, Para. 17, 30, 31, 34; Page	It would have been obvious to one of
to said at least one digital logger,	3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78;	ordinary skill in the art to incorporate D1 and/or D9 and/or D15 and/or D16
logger,	Page 7, para. 82.	and/or D19 s digital logger associated
	6-71	with input from a plurality of input
	D2: Page 5, lines 11-12.	channels in the network-based
	D2. G-1 0 H 4 7. G-1 1 H 21	conference system of D2 or the call
	D3: Col. 2, lines 4-7; Col. 3, lines 31-46; Col. 9, line 67 Col. 10, lines 8-	conference recording system of D3 to make recordings available to more
·	14; Col. 10, lines 59 Col. 11, line 36.	clients across a greater geographical
		area.
	D4: entire document; D5, Pages 5-9;	
	D6, Pages 5-11; D7: entire document	A digital logger designer of ordinary
	D8: D10, entire document; D10, entire	skill, facing the wise range of needs created by developments in the field
	document; D11, entire document; D12,	of endeavor, would have seen a
	entire document; D13, entire	benefit to incorporate D1 and/or D9
	document.	and/or D15 and/or D16 and/or D19 s
	D9: Pages 1-3.	digital logger associated with input from a plurality of input channels in
	D9. rages 1-3.	the network-based conference system
	D14: Page 9, lines 22-24.	of D2 or the call conference recording
		system of D3 to make recordings
	D15: Figure 3; Col. 2, lines 26-56;	available to more clients across a
	Col. 3, lines 5-34; 45-56; Col. 3, line 65 Col. 4, line 3; Col. 4, lines 19-26,	greater geographical area.
	43-49; Col. 4, line 63 Col. 5, line 9;	
	Col. 5, lines 27-35, Col. 5, lines 56	
	Col. 6, line 2; Col. 6, lines 6-17, 47-54,	
	56-64.	
	D16: Col. 2, lines 25 Col. 3, line 3;	
	Col. 3, lines 7-37; Col. 5, line 38	
	Col. 6, lines 10-32; Figures 1, 2, 8.	
	D17: D18: entire document.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D19: Pages 1-6.	
receiving a request for retrieval of stored data from a client;	D1: Page 1, para. 15-17; Page 2, para 31, 35; Page 3, para. 38, 39, 45; Page 6, para. 72, 73, 77, 78; Page 10, claim 25.	
	D2: Page 20, lines 28-29.	
	D3: Col. 3, lines 38-45; Col, 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	·
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6	
retrieving stored data in accordance with the received request;	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 3, lines 38-45; Col, 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 - Col. 7, line 44; Col. 7, line 57 - Col. 8, line 19; Col. 9, lines 18 - Col. 10, 14; Col. 10, line 47 - Col. 11, 22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	document; D11, entire document; D12, entire document; D13, entire	•
	document.	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
and transferring the retrieved data to the client.	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
. •	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
3. The method of claim 2	D1: Page 2, Para. 17, 30, 31, 34, 35;	This claim is invalid under 35 U.S.C.
wherein the step of retrieving stored data comprises accessing	Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 74,	§102(e) as anticipated by D1.

920 Claim	Prior Art Reference(s)	Invalidity Bases
call information for a record of	77, 78; Page 7, para. 82.	This claim is invalid under 35 U.S.C.
an input channel made by said	D0 D 01 E 00 D 00 E	§102(b) as anticipated by D2.
at least one digital logger.	D2: Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.
	D4: entire document; D5: Pages 5-9; D7: entire document	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D15
	D9, Pages 1-3.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D16
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D17
	17, 47-53; Col. 7, lines 9-23.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D19
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16, 38-54; Col. 6, lines 17-32, 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 8, lines 33-54; Col. 9, lines 12 – Col. 10, line 8; Figure 1, 2, 5-9.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 or D3 in combination with D1 and/or D2 and/or D9 and/or D14 and/or D15 and/or D16 and/or D19.
	D17: D18: entire document. D19: Pages 1-6.	It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.
		A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a

920 Claim	Prior Art Reference(s)	Invalidity Bases
6. The method of claim 1 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of an input channel made by said at least one digital logger.	D1: Page 8, para. 99, 103.  D2: Page 21, lines 23-25.  D3: Col. 3, lines 59-64.  D16: Col. 2, line 47 - Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 - Col. 8, line 28; Col. 9, lines 12 - Col. 10, line 8; Figure 1.  D17: D18: entire document.  D19: Pages 1-6.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.  It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.  A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 or the multicast Media-on-demand system of D19 to make recordings available to more clients across a greater geographical area.
16. A method for accessing information stored by at least one digital logger storing data associated with input from a plurality of communication channels, comprising:	D1: Page 2, Para. 17, 30, 31, 34; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.  D2: Page 5, lines I1-12; Page 7, lines 10-20.  D3: Col. 1, line 54 - Col. 2, lines 19; Col. 3, lines 3I-34; Col. 3, line 56 - Col. 4, line 9; Col. 10, lines 8-14.  D4: D5, entire document; D6, entire document; D7: entire document.  D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D9.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	document.	This claim is invalid under 35 U.S.C.
	D0 Pages 1-2	§ 102(b) as anticipated by D15
	D9, Pages 1-3.	This claim is invalid under 35 U.S.C.
	D14: Page 9, lines 22-24.	§ 102(b) as anticipated by D16
	D15: Figure 3; Col. 1, line 55 - Col. 2,	This claim is invalid under 35 U.S.C.
	line 55; Col. 3, lines 5-34; 47-56, Col.	§ 102(b) as anticipated by D17
	4, lines 19-26; Col. 5, lines 17-37, 39-	This claim is invalid under 35 U.S.C.
	47; Col. 7, lines 4-13.	\$ 102(b) as anticipated by D19
	D16: Col. 1, lines 1-7, 35-55; Col. 2,	" 142(1) TO TIME FAME 19 19 19 19
	lines 25-40; Col. 2, line 47 – Col. 3,	This claim is invalid under 35 U.S.C.
	line 7; Col. 3, lines 37-49; Col. 5, lines	§103(a) as obvious in view of D2 or
	38-54; Col. 6, line 34 – Col. 8, line 55; Figure 1, 2, 5-9.	D3 in combination with D1 and/or D2 and/or D9 and/or D14 and/or D15
	Figure 1, 2, 3-9.	and/or D16 and/or D19.
	D17: D18: entire document.	
	D19: Page 1-6.	
at a Web server having access	D1: Page 2, Para. 17, 30, 31, 34; Page	It would have been obvious to one of
to said information stored by at least one digital logger over a	3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78;	ordinary skill in the art to incorporate D1 and/or D9 and/or D15 and/or D16
communications network,	Page 7, para. 82.	and/or D19's digital logger associated
		with input from a plurality of input
·	D2: Page 5, lines 11-12.	channels in the network-based
	D2. G-1 2 1 4 7. G-1 2 1 21	conference system of D2 or the call
	D3: Col. 2, lines 4-7; Col. 3, lines 31-46; Col. 9, line 67 – Col. 10, lines 8-	conference recording system of D3 to make recordings available to more
	14; Col. 10, lines 59 – Col. 11, line 36.	clients across a greater geographical
		area.
	D4: entire document; D5, Pages 5-9;	A -13
	D6, Pages 5-11; D7: entire document	A digital logger designer of ordinary skill, facing the wise range of needs
	D8: D10, entire document; D10, entire	created by developments in the field
	document; D11, entire document; D12,	of endeavor, would have seen a
	entire document; D13, entire	benefit to incorporate D1 and/or D9
	document.	and/or D15 and/or D16 and/or D19's
	D9: Pages 1-3.	digital logger associated with input from a plurality of input channels in the network-based conference system
	D14: Page 9, lines 22-24.	of D2 or the call conference recording system of D3 to make recordings
	D15: Figure 3; Col. 2, lines 26-56;	available to more clients across a
	Col. 3, lines 5-34; 45-56; Col. 3, line	greater geographical area.
	65 - Col. 4, line 3; Col. 4, lines 19-26,	
	43-49; Col. 4, line 63 – Col. 5, line 9; Col. 5, lines 27-35, Col. 5, lines 56 –	
	Col. 6, line 2; Col. 6, lines 6-17, 47-54,	
	56-64.	
	D16: Col 2 lines 25 Col 2 line 2:	
	D16: Col. 2, lines 25 – Col. 3, line 3; Col. 3, lines 7-37; Col. 5, line 38 –	
	Col. 6, lines 10-32; Figures 1, 2, 8.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D17: D18: entire document.	
	D19: Pages 1-6.	
receiving a request for retrieval of stored data from a user;	D1: Page 1, para. 15-17; Page 2, para 31, 35; Page 3, para. 38, 39, 45; Page 6, para. 72, 73, 77, 78; Page 10, claim 25.	
	D2: Page 20, lines 28-29.	
	D3: Col. 3, lines 38-45; Col, 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	·
	D17: D18: entire document.	
retrieving said stored data from said information in accordance with the received request;	D19: Pages 1-6 D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 3, lines 38-45; Col. 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 9, lines 18 – Col. 10, 14; Col. 10, line 47 – Col. 11, 22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D8: D10, entire document; D10, entire	
	document; D11, entire document; D12,	
	entire document; D13, entire	
	document.	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
and transferring the retrieved data to the client.	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	·
	D9, Pages 1-3.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
18. The method of claim 17	D1: Page 2, Para. 17, 30, 31, 34, 35;	This claim is invalid under 35 U.S.C.
wherein the step of retrieving	Page 3, para. 43, 45, 47, 48; Page 4,	§102(e) as anticipated by D1.

920 Claim	Prior Art Reference(s)	Invalidity Bases
stored data comprises accessing call information for a record of	para. 51, 58; Page 6, para. 71, 72, 74, 77, 78; Page 7, para. 82.	This claim is invalid under 35 U.S.C.
a communication channel made by said at least one digital	D2: Page 21, lines 30 - Page 22, line	§102(b) as anticipated by D2.
logger.	1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.
	D4: entire document; D5: Pages 5-9; D7: entire document	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D15
	D9, Pages 1-3.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D16
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D17
	17, 47-53; Col. 7, lines 9-23.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D19
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16, 38-54; Col. 6, lines 17-32, 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 8, lines 33-54; Col. 9, lines 12 – Col. 10, line 8; Figure 1, 2, 5-9.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 or D3 in combination with D1 and/or D2 and/or D9 and/or D14 and/or D15 and/or D16 and/or D19.
	D17: D18: entire document. D19: Pages 1-6.	It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.
		A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system
		of D2 or the call conference recording system of D3 to make recordings available to more clients across a

920 Claim	Prior Art Reference(s)	Invalidity Bases
		greater geographical area.
21. The method of claim 16 wherein the step of retrieving stored data comprises accessing archived data at the Web server corresponding to a record of a communication channel made by said at least one digital logger.	D1: Page 8, para. 99, 103.  D2: Page 21, lines 23-25.  D3: Col. 3, lines 59-64.  D16: Col. 2, line 47 - Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 - Col. 8, line 28; Col. 9, lines 12 - Col. 10, line 8; Figure 1.  D17: D18: entire document.  D19: Pages 1-6.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.  It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.  A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 or the multicast Media-on-demand system of D19 to make recordings available to more clients across a greater geographical area.

# **EXHIBIT F**

#### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD,

> Plaintiffs and Counterclaim Defendants,

C.A. No. 1:06-CV-00311-JJF

٧.

WITNESS SYSTEMS, INC.

Defendant and Counterclaim Plaintiff.

#### DEFENDANT WITNESS SYSTEMS, INC. S FOURTH SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD. S INTERROGATORY 2 and 2(a)

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of the District of Delaware, Defendant Witness Systems, Inc. (Witness Systems) provides the following fourth supplemental objections and responses to the Interrogatories propounded by Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, NICE). Subject to and without waiving its previously stated objections, Witness Systems incorporates by reference its original, first, second and third supplemental responses and objections to NICE s First and Second Sets of Interrogatories<sup>1</sup> as if set forth verbatim herein, and for brevity provides only the supplemental information for the identified interrogatories below:

<sup>&</sup>lt;sup>1</sup> Served on January 18, 2007; March 2, 2007; April 30, 2007; May 30, 2007; and July 10, 2007, respectively.

#### SUPPLEMENTAL RESPONSES

#### **INTERROGATORY NO. 2:**

Describe in detail the factual and legal bases for Witness' contention that [the claims of the 738, 371, 005, 345, 372, 370,'920, 079, and 109 patents are invalid for failure to comply with the United States patent laws, 35 U.S.C. §§ 1, et seq., including without limitation § § 102, 103, and/or 112. The detailed description of such factual and legal bases should include, without limitation, an identification of which aspect(s) of 35 U.S.C. § 112 Witness contends the Patents-In-Suit do not meet and an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:

Witness believes one or more of the claims of the 005 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: U.S. Patent No. 4,523,055, to Hohl et al., issued Jun. 11, 1985; U.S. Patent No. 4,549,047, to Brian et al., issued Oct. 22, 1985; U.S. Patent No. 4,790,003, to Kepley et al., issued Dec. 6, 1988; U.S. Patent No. 4,221,933, to Cornell et al., issued Sep. 9, 1980; U.S. Patent No. 4,371,752, to Matthews et al., issued Feb. 1, 1983; U.S. Patent No. 4,375,083, to Maxemchuk, issued Feb. 22, 1983; U.S. Patent No. 4,582,957, to Hayes et al., issued Apr. 15, 1986; U.S. Patent No. 4,612,416, to Emerson et al., issued Sep. 16, 1986; U.S. Patent No. 4,646,346, to Emerson et al., issued Feb. 24, 1987; U.S. Patent No. 4,663,777, to Szeto, issued May 5, 1987; U.S. Patent No. 4,747,126, to Hood et al., issued May 24, 1988; U.S. Patent No. 4,785,473, to Pfeiffer et al., issued Nov. 15, 1988; U.S. Patent No. 4,837,798, to Cohen et al., issued Jun. 6, 1989; U.S. Patent No. 4,916,726, to Morley, Jr. et al., issued Apr. 10, 1990; U.S. Patent No. 4,926,462, to Ladd et al., issued May 15, 1990; U.S. Patent No. 5,003,577, to Ertz et al., issued May 26, 1991; U.S. Patent No. 5,008,926, to Misholi, issued Apr. 16, 1991; U.S.

Patent No. 5,029,199, to Jones et al., issued Jul. 2, 1991; U.S. Patent No. 5,187,735, to Herrero Garcia et al., issued Feb. 16, 1993; "Communication Systems: Towards Global Integration," Singapore ICCS 90, dated Nov. 5-9, 1990; and "Voicemail," Wikipedia.com, dated Sep. 5, 2007.

Witness believes one or more of the claims of the 920 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: U.S. Patent No. 6,233,318 to Picard et al., issued May 15, 2001; "Access Web TM. Internet Messaging Application," BostonTechnology.com, dated Dec. 27, 1996; and "Boston Technology Completes The Connection! Adds Internet Support To Its Public Network Services," PR Newswire, dated Nov. 30, 1995.

Witness believes one or more of the claims of the 372 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: U.S. Patent No. 6,233,318 to Picard et al., issued May 15, 2001; "Access Web TM. Internet Messaging Application," BostonTechnology.com, dated Dec. 27, 1996; and "Boston Technology Completes The Connection! Adds Internet Support To Its Public Network Services," PR Newswire, dated Nov. 30, 1995.

Witness believes one or more of the claims of the 371 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination; U.S. Patent No. 4,121,058, issued to Jusko et al., filed on December 13, 1976; U.S. Patent No. 4,841,574, issued to Pham et al, issued June 20, 1989; United States Patent No. 4,549,047, issued October 22, 1985 to Brian et al; United States Patent No. 4,523,055, issued June 11, 1985 to Hohl et al., filed November 25, 1983; United States Patent No. 5,103,467, issued April 17, 1992 to Bedlek et al., filed

October 31, 1989; United States Patent No. 4,985,914, issued January 15, 1991 to Fukunga, filed January 12, 1990.

Witness believes one or more of the claims of the '738 Patent are invalid under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 over one or more of the following references, either alone or in combination: U.S. Patent No. 4,523,055, to Hohl et al., issued Jun. 11, 1985; U.S. Patent No. 4,549,047, to Brian et al., issued Oct. 22, 1985; U.S. Patent No. 4,790,003, to Kepley et al., issued Dec. 6, 1988; U.S. Patent No. 4,221,933, to Cornell et al., issued Sep. 9, 1980; U.S. Patent No. 4,371,752, to Matthews et al., issued Feb. 1, 1983; U.S. Patent No. 4,375,083, to Maxemchuk, issued Feb. 22, 1983; U.S. Patent No. 4,582,957, to Hayes et al., issued Apr. 15, 1986; U.S. Patent No. 4,612,416, to Emerson et al., issued Sep. 16, 1986; U.S. Patent No. 4,646,346, to Emerson et al., issued Feb. 24, 1987; U.S. Patent No. 4,663,777, to Szeto, issued May 5, 1987; U.S. Patent No. 4,747,126, to Hood et al., issued May 24, 1988; U.S. Patent No. 4,785,473, to Pfeiffer et al., issued Nov. 15, 1988; U.S. Patent No. 4,837,798, to Cohen et al., issued Jun. 6, 1989; U.S. Patent No. 4,916,726, to Morley, Jr. et al., issued Apr. 10, 1990; U.S. Patent No. 4,926,462, to Ladd et al., issued May 15, 1990; U.S. Patent No. 5,003,577, to Ertz et al., issued May 26, 1991; U.S. Patent No. 5,008,926, to Misholi, issued Apr. 16, 1991; U.S. Patent No. 5,029,199, to Jones et al., issued Jul. 2, 1991; U.S. Patent No. 5,187,735, to Herrero Garcia et al., issued Feb. 16, 1993; "Communication Systems: Towards Global Integration," Singapore ICCS '90, dated Nov. 5-9, 1990; and "Voicemail," Wikipedia.com, dated Sep. 5, 2007.

#### **INTERROGATORY NO. 2(a):**

On a claim-by-claim basis in a chart, for each prior art reference identified by Witness in response to NICE's Interrogatory No. 2, identify the disclosure in each prior art reference of each limitation of the Asserted Claims in the respective Patent-in-Suit. To the extent that Witness asserts the prior art references support its invalidity defense under 35 U.S.C. § 103, it must further identify any prior art combinations and the motivation to combine those references.

#### SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2(a):

Witness Systems incorporates by reference its General Objections as if fully stated herein. Witness Systems also objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege. Witness Systems further objects to this Interrogatory to the extent it purports to be duplicative of an Interrogatory NICE earlier served, which it is not. Thus, this Interrogatory counts as a separate Interrogatory. Witness Systems further objects to this Interrogatory to the extent it is premature because discovery is still ongoing and the claims of the Patents-in-Suit have yet to be construed. Witness Systems further objects to this Interrogatory to the extent it calls for pure legal conclusions and/or to the extent it seeks information that will be the subject of expert opinion testimony. Subject to and without waiving the foregoing objections, Witness Systems refers NICE to Supplemental Exhibit B, which identifies additional representative, invalidating prior art for the '372, '920, '371, and '005 patents. Numerous other prior art references also contain the identified disclosures. Witness Systems reserves its right to amend and/or supplement this response as discovery and Witness Systems investigation continue, and after any claim construction ruling. Witness Systems specifically reserves the right to supplement and/or amend its response in light of information and materials that it is currently seeking from third parties.

DATED: September 10, 2007

#### FISH & RICHARDSON P.C.

/s/ Kyle Wagner Compton

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ATTORNEYS FOR DEFENDANT WITNESS SYSTEMS, INC.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on September 10, 2007, I caused to be served DEFENDANT WITNESS SYSTEMS, INC. S SUPPLEMENTAL RESPONSES TO PLAINTIFFS NICE SYSTEMS, INC. S AND NICE SYSTEMS LTD. S INTERROGATORIES 2 and 2(a) on counsel for Plaintiffs as follows:

#### By E-Mail and U.S. First Class Mail:

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/s/ Kyle Wagner Compton

Kyle Wagner Compton (#4693)

# **SUPPLEMENTAL EXHIBIT B**

D1: Sale of Eyretel e1000, sold in the U.S. on or before October, 1992. See 30(b)(6) Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143.  D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/E500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)  D4: U.S. Patent No. 5,724,738, to Daly et	,
30(b)(6) Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143.  D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143.  D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
3:00CV1143.  D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
D2: e1000 Circuit Diagrams (illustrating the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
the hardware of the D1 sale). (WSNSDE0013861-94; WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
WSNSDE0050671)  D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
D3: B1000/B500 Recorder: Engineer Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	,
Familiarisation (illustrating the hardware of the D1 sale.) (WSNSDE0015161-98)	
of the D1 sale.) (WSNSDE0015161-98)	
DAVILS Patent No. 5 724 738 to Daly et	
DT: O.O. I MODELIO, DILATIZO, W DALY OF 1	
al., filed on December 31, 1991.	
(WSNSDE0008620-5)	
D5: Digital Audio Tape Por Data	
Storage, IBEE Spectrum, October, 1989.	
(WSNSDE0010785-9)	
D6: Racal Rapidax, sold in the U.S. as of	
at least December 21, 1992.	
DG. Basel a Davide Vicin Laurine	
D7: Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall	
of Multichannel Calls, Transmissions.	
(NSDE008300-008302) (evidencing the	
hardware of the D6 sale).	
D8: Rapidax Access Voice Logging	
Recorder. (NSDE008312-008319)	
(evidencing the hardware of the D6 sale).	
D9: Rapidax Instant Call Recorder,	
(NSDE008305-008309) (illustrating the	
hardware of the D6 sale).	
D10: Rapidax in Surveillance and	
Security Monitoring (NSDE008310-	
008311) (evidencing the hardware of the	
D6 sale).	
D11: Operator s Manual.	
(NSDE008320-008324) (evidencing the	
hardware of the D6 sale).	
D12: System Manager s Manual.	
(NSDE008325-008340) (evidencing the	
hardware of the D6 sale).	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D13: "Rapidax Tape Archive and System Network." (NSDE008303-008304) (evidencing the hardware of the D6 sale).	
	D14: Deposition of Andrew Jackson in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing the hardware of the D6 sale).	
	D15: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D6 sale).	
	D16: U.S. Patent No. 4,523,055, to Hohl et al., issued Jun. 11, 1985. (WSNSDE064653-76)	
	D17: U.S. Patent No. 4,549,047, to Brian et al., issued Oct. 22, 1985. (WSNSDE064677-733)	
	D18: U.S. Patent No. 4,790,003, to Kepley et al., issued Dec. 6, 1988. (WSNSDE064246-63)	
A modular digital     recording logger,     comprising:	D1: D2 and D3. D4: Col. 1, lines 28-58.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1 (evidenced by D1-D3).
	D6: D7, Pages 1-3; D9, Entire Document.	Claim 1 is invalid under 35 U.S.C.
	D16: Col. 2, lines 1-12, Claims 1-36, FIGs. 1a, 1b. D17: Abstract, FIG.1.	\$102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative under 35 U.S.C. \$102(a) as anticipated by D6 (evidenced by D7-D15).
		Claim 1 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1, D5 and/or D16.
		Claim 1 is invalid under 35 U.S.C. §103 as obvious over D16 in view of D17.
		Claim 1 is invalid under 35 U.S.C. §103 as obvious over D17 in view of D1, D5 and/or D16.
a housing;	D1: D2, and D3 Page 9.	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D4: Col. 2, lines 15-19, Col. 3, lines 28-32.	
	D6: D7, Pages 1-3; D8, Page 4; D9, Entire Document	
	D16: Col. 2, lines 1-12, Claims 1-36, FIGs. 1a, 1b.	
	D17: Abstract, FIG.1, Summary of Invention.	
at least two circuit modules in said housing for	D1: D2, and D3 Pages 2-5.	
converting analog voice signals to digital voice signals, each of said circuit modules including at least	D4: Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-21; Col. 4, lines 3-6.	
two terminals for receiving said analog voice signals,	D6: D7, Page 2; D8, Page 6.	
each of said terminals being capable of receiving said analog voice signals for	D16: FIGs. 1a, 1b, 7; Col. 5, lines 8-36; Col. 11, line 44 to Col. 12, line 52.	
recording a two-way conversation;	D17: FIGs.1, 6a-6c, 10; Col. 6, lines 16-56; Col. 22, line 27 to Col. 26, line 37.	
a circuit in said housing for	D1: D2, and D3 Page 6.	In D16 digitized audio is transmitted via a multiplexed voice bus to a
compressing said digital voice signals received from each of said circuit modules	D4: Col. 2, line 65 Col. 3, line 2.	storage network processor, which can stored the digitized voice to tape. It
to provide compressed voice data;	D6: D7, Page 2; D8, Page 6.	would have been obvious to one of ordinary skill in the art to compress
	D17: FIG.1, Col. 6, lines 16-56; Col. 44, line 5 to Col. 45, line 36.	the digitized voice in the D16 apparatus prior to storage, as is taught by D17, to minimize the amount of
		memory required to store the voice data and to aid in processing of the voice data.
		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital recorders, would have seen a benefit to
		incorporate compression in the teaching of D16, as is taught by the microprocessor in the digital line cards of D17, to minimize the amount of
		memory required to store the voice data and to aid in processing of the voice data.
a first bus in said housing	D1: D2, and D3 Pages 2-7.	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
for providing communication between said circuit module and said compressing circuit;	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
compressing circuit,	D6: D7, Page 2; D8, Page 6.	
	D16: Fig 1a, 1b, including voice bus 20.	
	D17: FIGs.1, 6A-6C; Col. 6, lines 16-56; Col. 19, lines 59-63.	
a multiplexer circuit in said housing for providing	D1: D2, and D3 Pages 2-7.	
communication between said compressing circuit and said first bus, wherein said	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
multiplexer circuit multiplexes voice signals	D6: D7, Pages 1-3, D8, Page 6.	
exchanged between said compressing circuit and said	D16: FIGs. 1a, 1b, Col. 13, lines 26-30.	
circuit modules on said first bus; and	D17: FIGs.1, 6A-6C; Col. 6, lines 16-56; Col. 19, lines 44-51.	
a digital audio tape (DAT) drive for storing said	D1: D2 and D3 Pages 2, 6-7, and 13-15.	The digital audio tape in D1, D5 and D16 is used to store compressed data.
compressed voice data.	D5: Entire Article.	The DAT may be used as backup storage to the host computer of D4,
	D6: D10, Page 1; D13, Page 2; D12, Pages 6-16; D9, Entire Document.	which "stores" data from the voice processing board. The DAT may be
	D16: FIGs. 1b, 1c, Claims 39-46; Col. 4,	used as a supplement the hard disk drive of the mass storage subsystem
	line 56 to Col. 5, line7.	30 of D17. It would have been obvious to one of ordinary skill in the art to
		include the DAT of D1, D5 or D16 in
		the system of D4 or D17 for the purpose of backup storage and
		archiving of digital data in a reliable manner at a low cost.
		A digital recording logger designer of ordinary skill in the art, facing the
		wide range of needs created by developments in the field of digital
		recording loggers, would have seen a benefit to incorporate the DAT
		teaching of D1, D5 or D16 with the teachings of D4 or D17 to provide
		backup storage and archiving of digital data.
3. The modular digital	D1: D2 and D3 Pages 8-9.	Claim 3 is invalid under 35 U.S.C.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
recording logger of claim 1, further including a speaker in communication with at least one circuit module.	D6: D8, Page 7.  D16: FIGs. 1a, 1c, Col. 9, lines 21-28; Col. 11, lines 44-50.  D17: FIG. 1; Col. 9, lines 44-63.	§102(b) as anticipated by D1.  Claim 3 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 3 is invalid under 35 U.S.C. §103 as obvious over D16 in view of D17.  Claim 3 is invalid under 35 U.S.C. §103 as obvious over D17 in view of D1, D5 and/or D16. See motivation to combine from Claim 1.
4. The modular digital recording logger of claim 1, further comprising a hard disk drive in said housing for storing and reproducing said compressed voice data.	D1: D2, D3 pages 2, 11-16.  D4: Col. 2, lines 15-19; Col. 1, lines 55-58.  D6: D7, Pages 1-3; D8, Page 7; D9, Entire Document.  D16: FIG. 1b, Col. 4, lines 64 68; Col. 6, line 25 to Col. 7, line 25.  D17: FIG. 1; Col. 9, line 62 to Col. 9, line 29.	Claim 4 is invalid under 35 U.S.C. §102(b) as anticipated by D1. See motivation to combine from Claim 1.  Claim 4 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 4 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1. See motivation to combine from Claim 1.  Claim 4 is invalid under 35 U.S.C. §103 as obvious over D16 in view of D17. See motivation to combine from Claim 1.  Claim 4 is invalid under 35 U.S.C. §103 as obvious over D17 in view of D17. D5 and/or D16. See motivation to combine from Claim 1.
6. The modular digital recording logger of claim 1, wherein said first bus is a time division multiplexing (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.  D6: D7, Page 2; D8, Page 6.  D16: FIGs. 1a, 1b, Col. 13, lines 26-30.  D17: FIGs.1, 6A-6C; Col. 6, lines 16-56;	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
11 A nativork quotam of	Col. 19, lines 44-63.	Claim 6 is invalid under 35 U.S.C. § 103 as obvious in view of D4 in combination with D1 and/or D5. See motivation to combine from Claim 1.  Claim 6 is invalid under 35 U.S.C. § 103 as obvious over D16 in view of D17. See motivation to combine from Claim 1.  Claim 6 is invalid under 35 U.S.C. § 103 as obvious over D17 in view of D1, D5 and/or D16. See motivation to combine from Claim 1. The use of a TDM bus as the first bus' is a matter of design choice. It would have been obvious to one of ordinary skill in the art to utilize a TDM bus between the analog line cards and digital line cards to reduce the number of physical connections between the cards given the large number of telephone lines.
11. A network system of modular digital recording loggers, comprising:	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D9, Entire Document  D18: FIG. 1; Abstract.	Claim 11 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 11 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 11 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1, D5 and/or D16.  Claim 11 is invalid under 35 U.S.C. §103 as obvious in view of D18 in combination with D1, D5 and/or D16.
at least two digital recording loggers for logging voice conversations, each of said recording loggers comprising:	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6.  D18: PIG. 1; Col. 5, line 50 to Col. 6, line 7; Col. 4, lines 52-61.	It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access to stored digital voice signals on remote computers or devices, as in D1.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		seen a benefit to incorporate the multiple digital voice processing systems of D4 with the teachings of D1 to permit access to stored digital voice signals on remote computers or devices.
a housing;	D1: D2, and D3 Page 9.	
	D4: Col. 2, lines 15-19, Col. 3, lines 28-32.	
	D6: D7, Pages 1-3; D8, Page 4; D9, Entire Document.	
	D18: FIG. 1; Abstract; Col. 4, lines 44-61.	
a circuit in said housing for	D1: D2, and D3 Pages 2-5.	
converting analog voice signals to and from digital voice signals, said circuit	D4: FIG. 1; Col. 1, lines 44-49 and lines 55-58; Col. 2, lines 4-10; Col. 3, lines 13-	
modules including at least two terminals for receiving	21; Col. 4, lines 3-6.	
said analog voice signals,	D6: D7, Page 2; D8, Page 6.	
and wherein each of said terminals is capable of	D18: FIGs. 1, 2; Col. 5, lines 31-47; Col.	
receiving said analog voice signals for recording a two- way conversation,	8, lines 25-68.	
a circuit in said housing for	D1: D2, and D3 Page 6.	
compressing said digital voice signals received from each of said circuit modules	D4: Col. 2, line 65 Col. 3, line 2.	
to provide compressed voice data,	D6: D7, Page 2; D8, Page 6.	
uaia,	D18: FIGs. 1, 2; Col. 5, lines 31-47; Col. 8, lines 25-68.	
a first bus in said housing	D1: D2, and D3 Pages 2-7.	
for providing communication between said circuit module and said	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	
compressing circuit,	D6: D7, Pages 1-3, D8, Page 6.	
	D18: FIGs. 1, 2; Col. 5, lines 31-47; Col. 8, lines 25-68; Col. 9, lines 4-20.	
a multiplexer circuit in said	D1: D2, and D3 Pages 2-7.	
housing for providing communication between said compressing circuit and	D4: FIG. 1; Col. 2, lines 2-6, and line 58 to Col. 3, line 8.	

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
said first bus, wherein said multiplexer circuit multiplexes voice signals exchanged between said compressing circuit and said circuit modules on said first bus,	D6: D7, Pages 1-3, D8, Page 6. D18: FIGs. 1, 2; Col. 5, lines 31-47; Col. 8, lines 25-68; Col. 9, lines 4-20.	
a digital audio tape (DAT) drive for storing said compressed voice data,	D1: D2 and D3 Pages 2, 6-7, and 13-15.  D5: Entire Article.  D6: D10, Page 1; D13, Page 2; D12, Pages 6-16; D9, Entire Document.	D1, D5, and D16 teach a DAT drive for use in the system of D4. The DAT in D1 is used to store compressed data. The DAT in D16 is used to store digital voice data. The DAT may be used as backup storage, e.g., to the storage 203 of D18. It would have been obvious to one of ordinary skill in the art to include the DAT of D1, D5 or D16 in the system of D4 or D18 for backup storage and archiving digital data.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the DAT teaching of D1, D5 or D16 with the teachings of D4 or D18 to provide backup storage and archiving of digital data.
a hard disk drive in said housing for storing and	D1: D2, D3 pages 2, 11-16.	
reproducing said compressed voice data,	D4: Col. 2, lines 15-19; Col. 1, lines 55-58.	
	D6: D7, Pages 1-3; D8, Page 7; D9, Entire Document.	
	D18: FIG. 2; Col. 8, lines 10-20; Col. 14, lines 32-49.	
a first computer in said housing for operating said DAT drive and/or said hard disk drive to store and reproduce said digital voice signals, and	D1: D2 and D3 Pages 2, 6-7, and 11-15.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16; D9, Entire Document.  D18: FIG. 2; Col. 8, lines 10-20.	
a second bus in said housing for connecting said computer to said hard disk	D1: D2 and D3 Pages 2, 6-7, and 11-15.	One or more buses may be added to D4 to communicate with the DAT in addition to the hard disk drive, which

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
drive and said DAT drive;	D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D9, Entire Document.  D18: FIG. 2; Col. 8, lines 10-20.	is a matter of design choice. It would have been obvious to one of ordinary skill in the art to use a single bus to reduce the number of communication channels required to supply digital data to the DAT and hard disk, as in D1.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate a single bus with the teachings of D4 to reduce the number of communication channels required to supply digital data to the DAT and hard disk.
a second computer for processing compressed digital voice signals received from each of said recording loggers; and	D1: D2 and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.  D18: FIG. 1; Col. 4, lines 28-61.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the connection of multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.
a third bus connecting each of said recording loggers to said second computer.	D1: D2 and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2.  D18: FIGs. 1, 2; Col. 7, line 58 to col. 8, line 23.	It would have been obvious to one of ordinary skill in the art to connect multiple digital voice processing systems of D4 with one or more buses, as in D1, to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the connection of multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit computer access to stored digital voice signals, and to permit remote access of digital voice signals from a single location.
13. The network system of claim 11, wherein said third bus is a local area network (LAN) bus.	D1: D2, D3 Pages 2, 12-17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.	Claim 13 is invalid under 35 U.S.C. §102(b) as anticipated by D1 and/or D6, or in the alternative, under 35 U.S.C. §103 as obvious in view of D1 and/or D6.  RS 485 serial connections, which can carry compressed voice data, are LANs. Alternatively, if RS485 is not a LAN, replacing RS485 with a LAN would have been obvious to one of ordinary skill in the art as a matter of design choice.  A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate a LAN, as in D6, with the teachings of D1 to permit computer connectivity.
15. The network system of claim 11, wherein said first bus is a time division multiplexed (TDM) bus and said multiplexer circuit is a time division multiplexer circuit.	D1: D2, and D3 Pages 2-7.  D4: FIG. 1, Col. 2, line 58 to Col. 3, line 8.  D6: D7, Pages 1-3; D8, Page 6.  D18: FIGs. 1, 2; Col. 5, lines 31-47; Col. 8, lines 25-68; Col. 9, lines 4-20.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).  Claim 15 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1 and/or D16. See motivation to combine from Claim 11.  Claim 15 is invalid under 35 U.S.C. §103 as obvious in view of D18 in combination with D1, D5 and/or D16. See motivation to combine from Claim 11.

Prior Art Reference(s) (if applicable)	Invalidity Bases
D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.  D18: FIGs. 1, 2; Col. 7, line 58 to col. 8, line 23.	Claim 20 is invalid under 35 U.S.C. §102(b) as anticipated by D1. Claim 20 is invalid under 35 U.S.C. §103 as obvious in view of D18 in combination with D1, D5 and/or D16. See motivation to combine from Claim 11.
	Claim 20 is invalid under 35 U.S.C. §103 as obvious in view of D4 in combination with D1.
	It would have been obvious to one of ordinary skill in the art utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices, as in D1, to permit a distributed system of recorders.
	A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit a distributed system of recorders to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices.
	Claim 20 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).
D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.  D18: FIGs. 1, 2; Col. 7, line 58 to col. 8, line 23.	Claim 21 is invalid under 35 U.S.C. §102(b) as anticipated by D1.  Claim 21 is invalid under 35 U.S.C. §103 as obvious in view of D18 in combination with D1, D5 and/or D16. See motivation to combine from Claim 11.
	D1: D2, and D3 Pages 2, 17.  D6: D7, Pages 1-3; D8, Pages 2-6; D10, Pages 1-2; D12, Pages 2-16.  D18: FIGs. 1, 2; Col. 7, line 58 to col. 8, line 23.

005 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		§103 as obvious in view of D4 in
·		combination with D1.
		It would have been obvious to one of ordinary skill in the art to utilize multiple digital voice processing systems of D4 to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices, as in D1, to permit a distributed system of recorders.  A digital recording logger designer of
		A digital recording logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of modular digital recording loggers, would have seen a benefit to incorporate the multiple digital voice processing systems teaching of D4 with the teachings of D1 to permit a distributed system of recorders to increase capacity for voice processing, and to permit access and replay to stored digital voice signals on remote devices.
		Claim 21 is invalid under 35 U.S.C. §102(b) as anticipated by D6 (evidenced by D7-D15), and in the alternative, under 35 U.S.C. §102(a) as anticipated by D6 (evidenced by D7-D15).

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	D2: Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall of Multichannel Calls, Transmissions. (NSDE008300- 008302) (evidencing the hardware of the D1 sale).	
	D3: Rapidax Access Voice Logging Recorder. (NSDE008312-008319) (evidencing the hardware of the D1 sale).	
	D4: Rapidax Instant Call Recorder, (NSDE008305-008309) (illustrating the hardware of the D1 sale).	
	D5: Rapidax in Surveillance and Security Monitoring (NSDE008310-008311) (evidencing the hardware of the D1 sale).	
	D6: Operator s Manual. (NSDB008320-008324) (evidencing the hardware of the D1 sale).	
	D7: System Manager s Manual. (NSDE008325-008340) (evidencing the hardware of the D1 sale).	
	D8: Rapidax Tape Archive and System Network. (NSDE008303-008304) (evidencing the hardware of the D1 sale).	
	D9: Deposition of Andrew Jackson in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing hardware of the D9 sale)	
	D10: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D1 sale).	
	D11: United States Patent No. 4,891,835, to Leung, filed on April 30, 1986, issued on June 2, 1990. (WSNSDE0003055-80)	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D12: Sale of Eyretel e1000, sold in the U.S. as of at least October, 1992.	
	D13: Deposition of Chris Blair in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (evidencing the hardware of the D12 sale)	
	D14: European Patent Publication 0372894, to Koizumi, published on June 13, 1990, filed on December 5, 1989.(WSNSDE0000277-93)	
	D15: U.S. Patent No. 4,905,141, to Brenza, issued February 27, 1990, filed on October 25, 1988.(WSNSDE0003096-126)	
	D16: U.S. Patent No. 4,864,543, to Ward, issued September 5, 1989, filed on April 30, 1987. (WSNSDE0002971-84)	
·	D17: "The Disk Drive As An Audio Recorder," Hard Disk Recording Conference, published on Mary 16-17, 1990. (LOOSABLLP 002304-15)	
	D18: "An Experimental Speech Storage and Editing Facility," The Bell System Technical Journal, published in October 1980. (LOOSABLLP 002317-002330)	
	D19: Mediation Brief, Analysis of Prior Art Which Anticipates or Renders Obvious the Claims of U.S. Patent No. 5,396,371, in Dictaphone Corporation vs. Mercom Systems, Inc., Civil Action 3:00CV1143 (evidencing hardware of D1). (LOOSABLLP 002292-002302)	
	D20: United States Patent No. 4,375,083, to Maxemchuk, issued on February 22, 1983. (LOOSABLLP 002332-002355)	
	D21: Japanese Publication No. S62-20460, to Hirokawa, published on January 29, 1987. (LOOSABLLP 002357-002364)	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D22: "Memory Space Allocation of	
	Messages in Voice Mail," IBM	
	Technical Disclosure Bulletin,	
	published in July 1987.	
	(LOOSABLLP 002366-002367)	
	D23: "A Magnetic Storage Disk	
	Based Digital Audio Recording,	
	Editing and Processing System,"	
	presented to the public at the 83rd ABS	
	Corporation on October 16-19, 1987.	
	(002381-002398)	
	D24: "A Flexible Digital Sound-	
	Editing Program for Minicomputer	
	Systems," presented to the public at the	
	68th Convention of the Audio	
	Engineering Society in Hamburg,	
	German, Journal of Audio Engineering	
	Society, on March 17-20, 1981.	
	(NSDB008479-86)	
	D25: NICE's Markman Brief in	
	Dictaphone Corporation vs. Nice	
	Systems, Ltd., dated June 21, 2002,	
	Civil Action 3:00CV1143.	
	(NSDB014561-603) (evidencing	
	hardware of D24)	
	D26: Magnasync Digital Voice	
	Logger, sold in the U.S. as of at least	
	October, 1992. (JONESDAY0021219-	
	JONESDAY0021224)	
	D27: United States Patent No.	
	4,121,058, issued to Jusko et al., filed	
	on December 13, 1976.	
	(W\$N\$DE064624-52)	
	D28: United States Detent No.	
	D28: United States Patent No. 4,841,574, issued June 20, 1989 to	
	Pham et al., filed Oct. 11, 1985.	
	(W\$N\$DE064612-23)	
	D29: United States Patent No.	
	4,549,047, issued October 22, 1985 to	
	Brian et al., filed June 22, 1982.	
	(WSNSDE064677-733)	
	(H SHODENOTO I 1 1 1 2 2 )	
	D30: United States Patent No.	
	4,523,055, issued June 11, 1985 to	
	Hohl et al., filed November 25, 1983.	
	(WSNSDE064653-76)	
	D31: United States Patent No.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	5,103,467, issued April 17, 1992 to	
	Bedlek et al., filed October 31, 1989.	
	(WSNSDE064734-39)	
	D32: United States Patent No.	
	4,985,914, issued January 15, 1991 to	
	Fukunga, filed January 12, 1990.	
	(WSNSDE064601-11)	
1. In a method of storing and	D1: D2, Pages 1-2; D9, Page 8, line	This claim is invalid under 35 U.S.C.
retrieving audio from a digital	17 Page 9, line 4;	§102(b) as anticipated by D1.
audio logger, the steps	D12: D13, Page 11, lines 7-8.	This claim is invalid under 35 U.S.C.
comprising:	D12. D13, Fage 11, Inles 7-6.	§103(a) as obvious in view of D11 in
	D11: Col. 2, lines 10-14.	combination with D1 and/or D12
	+, -	and/or D14 and/or D17 and/or D21.
	D17: Page 16, Para. 5.	
		This claim is invalid under 35 U.S.C.
	D26: JONESDAY0021219-	§103(a) as obvious in view of D17 in
	JONESDAY0021224.	combination with D1 and/or D12 and/or D14 and/or D18 and/or D21
	D28: Col. 2, lines 35-49.	and/or D14 and/or D16 and/or D21 and/or D23 and/or D26 and/or D27
	1526. Col. 2, lines 55-45.	and/or D30
a) monitoring an audio source,	D1: D8, Page 1; D4, Page 4.	
	D11. G.1.2 Page 49.50	
	D11: Col. 3, lines 42-50.	
	D12: D13, Page 11, lines 7-8.	
	D14: Col. 4, lines 24-30.	
	D17: Page 17, Para. 3, 4.	
	D26: JONESDAY00219-	
	JONESDAY0021224.	
	D27: Col. 3, lines 25-30; 5-61	
	D30: Col. 2, lines 1-23, 53-64	
b) storing audio data from the	D1: D9, Page 18, lines 10-14; D10, Page 9; D2, Page 2.	
audio source in a buffer,	rage 9, D2, rage 2.	
	D11: Figure 6, Col. 10, line 66 Col.	
	11, line 54, Col. 9, lines 46-47.	
	D12: D13, Page 11, lines 7-8.	
	D14: Col 5 lines 16 27	
	D14: Col. 5, lines 16-27.	
	D17: Page 16, Para. 3-4; Page 18,	
	Paragraphs 3, 4; Page 18, Para. 3; Page	
	20, Figure 1.	
	DA1 - COGLDTT - COCCE - COCCE	
	D21: LOOSABLLP 002357, 002358.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
·	D22. Burn 0 continue 5.2	
	D23: Page 9, section 5.3.	
	D26: JONESDAY0021219- JONESDAY0021224	
	D27: Col. 1, lines 39-64; Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, lns. 1-14; Col. 4, line 17 - Col. 5, line 66; Col. 8, lns. 1-59; Col. 12, lines 10-19, 42-52; Col. 16, line 50	
	- Col. 18, line 12	
	D30: Col. 2, lines 25-53.	
c) writing the audio data from the buffer onto a digital audio tape and a random access storage device, and	D1: D8, Page 1; D3, Page 3; D4, Page 4; D10; D9, Page 14, lines 20-25; Page 46, lines 2-20;	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or and/or D12 and/or D14 and/or D18 with the system of D11 to allow
	D11: Col. 10, line 66 – Col. 11, line 54, Col. 9, lines 46-47, Col. 2, lines	archiving of data and/or to store the
	29-36, Col. 2, lines 38-41.	same type of data in the DRAM and the recorder unit and/or to obtain a
	D12: D13, Page 11, lines 18-21.	duplicate recording that requires less hardware and/or to increase the audio
	D14: Col. 3, lines 17-27, Col. 5, lines 35-41.	channels that may be recorded or the transfer rate of existing channels.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	It would have been obvious to one of ordinary skill in the art to incorporate the buffer of D1 and/or D11 and/or
	D17: Page 16, Para. 6; Page 18, Para. 1-4.	D12 and/or D17 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate
	D18: Page 1385, Para. 2, 4; Page, 1388, Para. 2, 4; D19: Page 4, lines 7-8).	that exceeds the modem's capacity to process such data.
	D21: LOOSABLLP 002357, 002358.	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or
	D23: Page 9, section 5.3.	D12 and/or D14 and/or D18 and/or D23 and the random access memory
	D26: JONESDAY0021219- JONESDAY0021224.	of D21 and/or D26 with the digital recording and editing system of D17 to increase the audio channels that
	D27: Col. 1, lines 39-64; Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, lns. 1-14; Col. 4, line 17 -	may be recorded or the transfer rate of existing channels.
	Col. 5, line 66; Col. 8, lns. 1-59; Col. 12, lines 10-19, 42-52; Col. 16, line 50 – Col. 18, line 12	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or
	D30: Col. 2, line 1 – Col. 3, line 36; Col. 5, lines 15-55; Col. 5, line 61 – Col. 6, line 2; Col. 6, lines 18-55; Col. 7, lines 29-52; Col. 11, lines 1-32; Col.	D23 into the systems of D27 and D30 to increase the audio channels that may be recorded or the transfer rate of existing channels.

371 Claim	Prior Art Reference(s)	Invalidity Bases
	12, line 26 – Col. 14, line 34; Col. 23,	
	line 65 – Col. 24, line 43; Figures 1b	A 45-56-1 45-1 4
	and 1c	A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a
		benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 with the system of D11 to allow archiving of data and/or to store the same type of data in the DRAM and the recorder unit and/or to obtain a duplicate recording that requires less hardware and/or to increase the audio channels that may
		be recorded or the transfer rate of existing channels.  A digital audio logger designer of ordinary skill in the art, facing the
		wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the buffer of D1 and/or D11 and/or D12 and/or D17 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate that
		exceeds the modem's capacity to process such data.  A digital audio logger designer of ordinary skill in the art, facing the
		wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or D23 and the random access memory of D21 and/or D26 with the digital recording and editing system of D17 to increase the audio channels that may be recorded or the transfer rate of existing
		A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by
		developments in the field of digital audio loggers would have seen a benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or D23 and the

371 Claim	Prior Art Reference(s)	Invalidity Bases
		random access memory of D21 and/or D26 with the systems of D27 and D30 to increase the audio channels that may be recorded or the transfer rate of existing channels or the transfer rate of existing channels.
d) retrieving audio from the random access storage device while audio data is written into the digital audio tape and the random access storage device.	D1: D2, Page 1; D5, Page 1; D10, Page 10; D9: Page 14, lines 20-25; Page 46, lines 2-20.  D11: Col. 2, lines 29-48.  D14: Col. 3, lines 17-27, Col. 4, lines 33-35, Col. 5, lines 35-41, Col. 6, lines 31-35.	It would have been obvious to one of ordinary skill in the art to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D23 and/or the random access memory of D21 with the system of D17 and/or D26 and/or D27 and/or D30 to retrieve data more efficiently and precisely and/or to write audio in the digital
	D12: D13, Page 11, lines 18-21.	audio tape and the random access storage device in digital format.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by
	D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 1-4.	developments in the field of digital audio loggers would have seen a
	D21: LOOSABLLP 002357, 002358.	benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D23 and/or the random
	D23: Page 9, section 5.3.	access memory of D21 with the system of D17 and/or D26 and/or
	D26: JONESDAY0021219- JONESDAY0021224.  D27: D27: Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, line 17 - Col. 5, line 66; Col. 8, lns. 1-59	D27 and/or D30 to retrieve data more efficiently and precisely and/or to write audio in the digital audio tape and the random access storage device in digital format.
	D30: Col. 2, line 1 – Col. 3, line 36; Col. 5, lines 15-55; Col. 5, line 61 – Col. 6, line 2; Col. 6, lines 18-55; Col. 7, lines 29-52; Col. 11, lines 1-32; Col. 12, line 26 – Col. 14, line 34; Col. 23, line 65 – Col. 24, line 43; Figures 1b and 1c	_
5. In a system for processing audio having	D1: D9, Page 8, line 17 - Page 9, line 4, Page 10, line 13 - Page 11, line 10; Page 15, lines 12-23, Page 22, lines 10-13.  D17: Page 13, Para. 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in combination with D1 and/or D12 and/or D14 and/or D15 and/or D16
		and/or D20 and/or D23 and/or 24 and/or D26.  This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D14 in combination with D1 and/or D11

371 Claim	Prior Art Reference(s)	Invalidity Bases
		and/or D15 and/or D16 and/or D17
		D18 and/or D20 and/or D21 and/or
		D22 and or D23 and/or D24.
		This claim is invalid under 35 U.S.C.
		§ 103(a) as obvious in view of D17 in
		combination with D1 and/or D11
		and/or D12, and/or D15 and/or D16
		and/or D18 and/or D20 and/or D21
		and/or D22 and or D23 and/or D24
		and/or D26.
		This claim is invalid under 35 U.S.C.
		§ 103 in view of D1 and/or D12
		and/or D14 and/or D18 and/or D23
		and the random access memory of
		D21 and/or D26 in combination with
		D27 and/or D28 and/or D29 and/or
		D30 and/or D31 and/or D32
an interface for receiving audio	D1: D9, Page 8, line 17 - Page 9, line	
from an audio source,	4, Page 10, line 13 - Page 11, line 10,	
	Page 15, lines 12-23, Page 22, lines	
	10-13.	
	D17: Page. 16, Para. 3	
a digital signal processor in	D1: D9, Page 8, line 17 – Page 9, line	
communication with the	4, Page 10, line 13 - Page 11, line 10,	
interface for compressing the	D10, Page 16.	
audio signals,	D. D. J. C.	
	D17: Page 16, Para. 3	
a controller in communication	D1: D9, Page 8, line 17 – Page 9, line	
with the digital signal processor	4, Page 10, line 13 – Page 11, line 10,	
for receiving audio therefrom	Page, 22, lines 10-13; D10, Page 16.	
and arranging data in a prescribed order,	D17: Page 16, Para. 3, 5.	
a supervisor in communication	D1: D9, Page 15, lines 12-23, Page 8,	
with said controller accessing	line 17 – Page 9, line 4, Page 10, line	
data from said system, and	13 - Page 11, line 10, Page, 22, lines	
	10-13; D10, Page 16.	
	D17: Page 16, Para. 3, 5.	
a buffer in communication with	D1: D9, Page 10, line 13 - Page 11,	
the controller for receiving	line 10, Page 18, lines 10-14, Page 15,	
arranged audio from the	lines 13-23, Page 17, lines 7-20; D2,	
controller, the improvement	page 2; D10, Page 9.	
comprising:		
	D17: Page. 16, Para. 3	
	D30: Col. 2, line 1 – Col. 3, line 36;	
	Col. 5, lines 15-55; Col. 6, lines 18-55;	
	Col. 7, lines 29-52; Col. 11, lines 1-32;	
	Col. 12, line 26 – Col. 14, line 34.	
a digital audio tape drive unit in	D1: D9, Page 10, line 13 - Page 11,	It would have been obvious to one of

371 Claim	Prior Art Reference(s)	Invalidity Bases
communication with the buffer	line 10, Page 18, lines 10-14, Page 15,	ordinary skill in the art to incorporate
for receiving arranged audio	lines 13-23, Page 17, lines 7-20; D2,	the digital audio tape of D1 and/or
data from the buffer,	Page 2; D10, Page 17.	and/or D12 and/or D14 and/or D18
		with the system of D11 to allow
	D11: Col. 10, line 66 - Col. 11, line	archiving of data and/or to store the
	54, Col. 9, lines 46-47, Col. 2, lines	same type of data in the DRAM and
	29-36, Col. 2, lines 38-41, Col. 3, lines	the recorder unit and/or to obtain a
	31-47, Col. 7, lines 26-33.	duplicate recording that requires less
	J1-47, COL. 7, III. 20 331	hardware and/or to increase the audio
	D12: D13, Page 11, lines 18-21	channels that may be recorded or the
	D12. D15,1 age 11, mics 10 21	transfer rate of existing channels.
	D14. G-1 17 Pmg 20 54. Gol 2	Hansler face of existing channels.
	D14: Col. 17, lines 30-54; Col. 2,	The second have been abridged to one of
	lines 29-48.	It would have been obvious to one of
		ordinary skill in the art to incorporate
	D23: Page 9, section 5.3.	the buffer of D1 and/or D11 and/or
		D12 and/or D17 with the modem of
	D26: JONESDAY0021219-	D14 to reduce loss of data resulting
	JONESDAY0021224	from data sent to the modem at a rate
		that exceeds the modem's capacity to
		process such data.
	D27: Col. 1, lines 39-64; Col. 1, line	
	51 - Col. 2, line 20; Col. 2, lines 42-	It would have been obvious to one of
	52; Col. 4, lns. 1-14; Col. 4, line 17 -	ordinary skill in the art to incorporate
	Col. 5, line 66; Col. 8, lns. 1-59; Col.	the digital audio tape of D1 and/or
	12, lines 10-19, 42-52; Col. 16, line 50	D12 and/or D14 and/or D18 and/or
		D23 and the random access memory
	-Col. 18, line 12	of D21 and/or D26 with the digital
	D00- C-1 4 15 01 20	
	D28: Col. 4, lines 21-32.	recording and editing system of D17
		to increase the audio channels that
	D30: Col. 5, line 61 – Col. 6, line 2;	may be recorded or the transfer rate
	Col. 23, line 65 – Col. 24, line 43;	of existing channels.
	Figures 1b and 1c	
		It would have been obvious to one of
	D31: Col. 5, lines 5-7, 10-15	ordinary skill in the art to incorporate
		the digital audio tape of D1 and/or
	D32: Col. 1, lines 57-64	D12 and/or D14 and/or D18 and/or
		D23 into the systems of D27 and/or
		D28 and/or D29 and/or D30 and/or
		D31 and/or D32 to increase the audio
		channels that may be recorded or the
		transfer rate of existing channels.
		A digital audio logger designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of digital
		audio loggers would have seen a
		benefit to incorporate the digital
		audio tape of D1 and/or and/or D12
		and/or D14 and/or D18 with the
		system of D11 to allow archiving of
		data and/or to store the same type of
		data in the DRAM and the recorder
		unit and/or to obtain a duplicate
		recording that requires less hardware
		1 100010111g unit 10quitos 1058 marawato

371 Claim	Prior Art Reference(s)	Invalidity Bases
		and/or to increase the audio channels that may be recorded or the transfer rate of existing channels.
		A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the buffer of D1 and/or D11 and/or D12 and/or D17 with the modem of D14 to reduce loss of data resulting from data sent to the modem at a rate that exceeds the modem's capacity to process such data.
		A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or D23 and the random access memory of D21 and/or D26 with the digital recording and editing system of D17 to increase the audio channels that may be recorded or the transfer rate of existing channels.
		A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital audio loggers would have seen a benefit to incorporate the digital audio tape of D1 and/or D12 and/or D14 and/or D18 and/or D23 into the systems of D27 and/or D28 and/or D29 and/or D30 and/or D31 and/or D32 to increase the audio channels that may be recorded or the transfer rate of existing channels.
a random access storage device, and	D1: D4, NSDE008308, D9, Page 14, lines 9-25, NSDE008278, D10, NSDE008463.	
	D11: Col. 2, lines 32-36, Col. 17, lines 18-54.	
	D14: Col. 3, lines 17-27, Col. 2, lines 47-54.	

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	
	D17: Page 15, Para. 3; Page 16, 1-4; Figure 4.	
	D26: JONESDAY0021219- JONESDAY0021224.	
	D27: Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, line 17 - Col. 5, line 66; Col. 8, lns. 1 – Col. 11, line 22	
	D28: Col. 4, lines 21-32.	
	D29: Col. 4, line 8 – Col. 7, line 18; Col. 6, lines 37-55; Col. 18, lines 55 – Col. 22, line 27; Col. 71, line 57 – Col. 80, line 35	
	D30: Col. 2, line 1 – Col. 3, line 36; Col. 5, lines 15-55; Col. 6, lines 18-55; Col. 7, lines 29-52; Col. 11, lines 1-32; Col. 12, line 26 – Col. 14, line 34.	
	D31: Col. 5, lines 5-7, 10-15	
	D32: Col. 1, lines 46-53; Col. 3, line 43 – Col. 7, line 30	
a pair of pointers providing communication between said buffer and random storage device, the first of said pointers operative for transmitting audio data to said random access storage device from said buffer and the second of said pointers being operative to send audio data from said random access storage device to said controller.	D1: D9, Page 15, lines 12-23, Page 16, lines 8-19, Page 19, line 20 – Page 22, line 13; D3, Pages 2-3; D9: Page 15, lines 1-23; Page 24, lines 5-14; Page 31, lines 1-12; Page 47, 5-20.  D11: Col. 17, lines 30-54; Col. 2, lines 29-48.  D14: Col. 3, lines 17-27, Col. 5, lines 35-41, Col. 4, lines 33-35, Col. 6, lines 31-35.	It would have been obvious to one of ordinary skill in the art to incorporate the pair of pointers of D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D20 and/or D23 and/or 24 with the system of D11 and/or D17 and/or D18 and/or D21 and/or D22 to store and retrieve data efficiently and precisely while operating with a single buffer and reduce loss of data resulting from an excessive transfer rate.
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by
	D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 3, 4.	developments in the field of digital audio loggers would have seen a benefit to incorporate the pair of
	D18: Page 1385, Para. 4, Page 1387 Para. 2; Page 1388, Para. 2, 4.	pointers of D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D20 and/or D23 and/or 24 and/or
	D20: Col. 13, lines 36-41; col. 14, lines 24-34; col. 15, lines 30-47.	D26 with the system of D11 and/or D17 and/or D18 and/or D21 and/or

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D22: LOOSABLLP 002366, line 14 – LOOSABLLP 002367, line 69. D26: JONESDAY0021219-	D22 to store and retrieve data efficiently and precisely while operating with a single buffer and reduce loss of data resulting from an excessive transfer rate.
	JONESDAY0021224.  D27: Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, line 17 - Col. 5, line 66; Col. 8, lns. 1 – Col. 11, line 22  D28: Col. 4, lines 21-32.  D29: Col. 4, line 8 – Col. 7, line 18; Col. 6, lines 37-55; Col. 18, lines 55 –	
·	Col. 22, line 27; Col. 71, line 57 – Col. 80, line 35  D30: Col. 2, line 1 – Col. 3, line 36; Col. 5, lines 15-55; Col. 6, lines 18-55; Col. 7, lines 29-52; Col. 11, lines 1-32; Col. 12, line 26 – Col. 14, line 34	
1.	D31: Col. 2, lines 49-53; Col. 5, line I - Col. 6, line 19  D32: Col. 2, line 54 - Col. 2, line 57;	
0.4 (1.1.	Col. 3, line 43 – Col. 7, line 30	TWO I I I I I I I I I I I I I I I I I I I
8. An audio data storage device, comprising:	D1: D3, Page 3. D15: Col. 3, lines 25-29, Col. 3, lines	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D1.
	35-38, Col. 3, lines 51-53.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D11 in
	D17: Page 13, Para. 1. D19: Page 1385, Para. 2.	combination with D1 and/or D12 and/or D14 and/or D15 and/or D16 and/or D22 and/or D26.
	D26: JONESDAY0021219- JONESDAY0021224.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D17 in combination with D1 and/or D12
	D28: Col. 4, lines 8-21.  D29: Col. 4, line 8 - Col. 7, line 18;	and/or D14 and/or D15 and/or D16 and/or D22 and/or D26.
	Col. 6, lines 37-55; Col. 18, lines 55 – Col. 22, line 27; Col. 71, line 57 – Col. 80, line 35	
a random access storage device having a primary partition for storing audio data and a secondary partition for storing means for locating data on said primary partition and	D1: D5, Page 1; D2, Page 1; D3, Page 3; D8, Page 1; D9: Page 15, lines 1-23; Page 19, line 17 – Page 20, line 14; Page 24, lines 5-14; Page 31, lines 1-12; Page 46, lines 2-20; Page 47, 5-20, Page 19, line 17 – Page 20, line 14; D10, Pages 12-13.	It would have been obvious to incorporate the partitions of D1 and/or D15 and/or D18 and/or D20 and/or D24 and/or D26 with the system of D11 and/or D12 and/or D14 and/or D17 and/or to store and retrieve data more efficiently and precisely while operating with a

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D11: Col. 17, lines 30-54; Col. 2, lines	single buffer and/or and reduce loss
	29-48.	of data resulting from an excessive
	D14: Col. 3, lines 17-27, Col. 2, lines	transfer rate.
	47-54.	A digital audio logger designer of
		ordinary skill in the art, facing the
	D15: Col. 3, lines 25-29, Col. 3, lines	wide range of needs created by
	35-38, Col. 3, lines 51-53.	developments in the field of digital
	D17 D 17 D 1 10 D 10 10 D 10	audio loggers would have seen a
	D17: Page 17, Para. 4; Page 18, Para.	benefit to incorporate the partitions of D1 and/or D15 and/or D18 and/or
	1-3, 5.	D20 and/or D24 and/or D26 with the
	D18: Page 1390, Para. 2-4.	system of D11 and/or D12 and/or D14 and/or D17 to store and retrieve
	D20: Col. 10, lines 36-40.	data more efficiently and precisely
	D24: Page 128, section 3.1.	while operating with a single buffer and/or and reduce loss of data
	D25: Page, 24-25.	resulting from an excessive transfer rate.
	D26: JONESDAY0021219- JONESDAY0021224.	
	D27: Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, line 17 - Col. 5, line 66; Col. 8, lns. 1 – Col. 11, line 22	
	D28: Col. 4, lines 32-37, 56-69, Col. 5, lines 1-53, Col. 7, line 12, Col 8, line 30.	
	D29: Col. 4, line 8 – Col. 7, line 18; Col. 6, lines 37-55; Col. 18, lines 55 – Col. 22, line 27; Col. 71, line 57 – Col. 80, line 35	
	D30: Col. 2, line 1 – Col. 3, line 36; Col. 5, lines 15-55; Col. 6, lines 18-55; Col. 7, lines 29-52; Col. 11, lines 1-32; Col. 12, line 26 – Col. 14, line 34	
	D31: Col. 5, line 1 – Col. 6, line 19	
	D32: Col. 3, line 43 – Col. 7, line 30	
a pair of pointers in	D1: D9, Page 15, lines 12-23, Page	It would have been obvious to one of
communication with said random access memory, a first	19, line 17 - Page 20, line 14, Page 18, line 25 - Page 19, line 15; D10, Pages	ordinary skill in the art to incorporate the pair of pointers of D16 and/or
of said pointers being operated	12-13, Pages 15-16; D9: Page 15, lines	D18 and/or D20 and/or D22 and/or D26 with the system of D11 and/or
to transmit data to said random access storage device and the	1-23; Page 24, lines 5-14; Page 31,	D12 and/or D14 and/or D17 to
second of said pointers being	lines 1-12; Page 47, 5-20.	retrieve data efficiently and precisely
operative to retrieve audio data from said random access	D11: Col. 17, lines 30-54; Col. 2, lines 29-48.	while operating with a single buffer and to store and retrieve data
storage device.		efficiently.

371 Claim	Prior Art Reference(s)	Invalidity Bases
	D14: Col. 3, lines 17-27, Col. 5, lines 35-41, Col. 4, lines 33-35, Col. 6, lines 31-35.	A digital audio logger designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of digital
	D15: Col. 3, lines 25-29, Col. 3, lines 35-38, Col. 3, lines 51-53.	audio loggers would have seen a benefit to incorporate the pair of pointers of D16 and/or D18 and/or
	D16: Col. 2, line 62 – Col. 3, line 21, Col. 4, lines 11-33.	D20 and/or D22 and/or D26 with the system of D11 and/or D12 and/or D14 and/or D17 to retrieve data
	D17: Page 1, Para. 6; Page 15, Para. 1; Page 17, Para. 4; Page 18, Para. 3, 4.	efficiently and precisely while operating with a single buffer and to store and retrieve data efficiently.
	D18: Page 1385, Para. 4, Page 1387 Para. 2; Page 1388, Para. 2, 4.	·
	D20: Col. 13, lines 36-41; col. 14, lines 24-34; col. 15, lines 30-47.	
	D22: LOOSABLLP 002366, line 14 – LOOSABLLP 002367, line 69.	
	D24: Page 128, section 3; Page 129, section 6.1; Page 130, section 7.1.	
	D25: Page 23.	
	D26: JONESDAY0021219- JONESDAY0021224.	
	D27: Col. 1, line 51 – Col. 2, line 20; Col. 2, lines 42-52; Col. 4, line 17 - Col. 5, line 66; Col. 8, lns. 1 – Col. 11, line 22	
	D28: Col. 4, lines 32-37, 56-69, Col. 5, lines 1-53, Col. 7, line 12, Col 8, line 30.	
	D29: Col. 4, line 8 – Col. 7, line 18; Col. 6, lines 37-55; Col. 18, lines 55 – Col. 22, line 27; Col. 71, line 57 – Col. 80, line 35	
	D30: Col. 2, line 1 – Col. 3, line 36; Col. 5, lines 15-55; Col. 6, lines 18-55; Col. 7, lines 29-52; Col. 11, lines 1-32; Col. 12, line 26 – Col. 14, line 34	
	D31: Col. 5, line 1 – Col. 6, line 19	
	D32: Col. 3, line 43 – Col. 7, line 30	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D1: Blue Cross Blue Shield Eclipse, sold	
	in the U.S. before June 2, 1998.	
	D2: Blue Cross Blue Shield User	
	Guide (illustrating hardware of D1 sale)	
	(WSNSDE0012983-92)	
	(11011000000000000000000000000000000000	
	D3: Application Development Guide -	
	Blue Cross / Blue Shield Eclipse Project	
	Eclipse Modification and Design	
	(illustrating hardware of D1 sale)	
	(W\$N\$DE0012967-82)	
	D4: Tracking Agent Id through Inter-	
	Site Call Transfers (illustrating hardware	
	of D1 sale)(WSNSDE0012993-4)	
	D5: Blue Cross Blue Shield System	
	Diagrams (illustrating hardware of D1	
	sale)(WSNSDE0013084-7;	
	WSNSDE0013177-83)	
	D6: e1000 Circuit Diagrams (illustrating	
	the hardware of the D1 sale).	
	(WSNSDE0013861-94;	
	WSNSDE0050671)	
	, i	
	D7: E1000/E500 Recorder: Engineer	
	Familiarisation (illustrating the hardware	
	of the D1 sale). (WSNSDE0015161-98)	
	D8: U.S. Publication No. 2001/0043697	
	to Cox, published November 22, 2001,	
	filed on May 11, 1998.	
	(WSNSDE0000874-94)	
	DO. DOW D. 612-42-1 NO. 00/10005	
	D9: PCT Publication No. WO 98/13995 to Smythe, published April 2, 1998, filed	
	September 25, 1997. (WSNSDE0008433-	
	77)	
	D10: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	Dila Bassia Bassias Voice Laggie	
	D11: Racal s Rapidax Voice Logging Recorders Offers Instant Message Recall	
	of Multichannel Calls, Transmissions,	
	dated June 4, 1991. (NSDB008300-	
	008302) (evidencing the hardware of the	
	D10 sale).	
	D12: Rapidax Access Voice Logging	
	Recorder. (NSDE008312-008319)	
	(evidencing the hardware of the D10	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	sale).	
	D13: "Rapidax Instant Call Recorder," (NSDE008305-008309) (evidencing the hardware of the D10 sale).	
	D14: "Rapidax in Surveillance and Security Monitoring" (NSDE008310-008311) (evidencing the hardware of the D10 sale).	
	D15: "Operator's Manual." (NSDE008320-008324) (evidencing the hardware of the D10 sale).	
	D16: "System Manager's Manual." (NSDE008325-008340) (evidencing the hardware of the D10 sale).	
	D17: "Rapidax Tape Archive and System Network." (NSDE008303-008304) (evidencing the hardware of the D10 sale).	
	D18: Deposition of Andrew Jackson in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing the hardware of the D10 sale).	
	D19: Expert Report on the Invalidity of U.S. Patent No. 5,396,371 in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008447-008468) (evidencing the hardware of the D10 sale).	
	D20: R[a]cal Recorders, Inc.; "R[a]cal Adds Remote Replay Over LAN" to Wordnet Voice Logging Recorder," dated June 17, 1996. (MERC013540)	
	D21: "Proposal for a Quality Monitoring / Agent Evaluation System", dated August 20, 1998. (WSNDE 013060-066)	
	D22: Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059) (evidencing the hard ware and function of the D21 offer for sale.)	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D23: "Racal Worldnet' Second Generation of World's Best Selling Voice-Logging Recorder," June 28, 1995. (NSDE 004715-16).	
	D24: United States Patent No. 6,222,838 to Sparks, filed November 26, 1997. (WSNSDE0006107-15)	
	D25: Parnes et al, "mMOD: the multicast Media-on-Demand system," dated March 6, 1997. (WSISTS065463-8)	
	D26: U.S. Patent No. 6,233,318 to Picard et al., filed Nov. 5, 1996. (WSNSDE063951-74)	
	D27: "Access Web TM. Internet Messaging Application," BostonTechnology.com, dated Dec. 27, 1996. (WSNSDE063975-77)	
	D28: "Boston Technology Completes The Connection! Adds Internet Support To Its Public Network Services," PR Newswire, dated Nov. 30, 1995. (WSNSDE063946-50)	
1. A multi-stage data	D1: D3, pg. 5; D5.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
logging system comprising:	D10: D11, Pages 1-3; D13, entire document; D14: entire document; D15: entire document.	Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
	D20: entire document.	Claim 1 is invalid under 35 U.S.C.
	D23: entire document.	§102(b) as anticipated by D9.
	D24: FIG. 3; Col. 1, line 55 Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D25: pgs. 1-6.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
	D26: entire document.	Claim 1 is invalid under 35 U.S.C.
	D27: entire document.	§102(b) as anticipated by D21.
	D28: entire document.	Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 1 is invalid under 35 U.S.C.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		§102(b) as anticipated by D24.
		Claim 1 is invalid under 35 U.S.C. §102(e) as anticipated by D26.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D28.
		Claim 1 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
,		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
a) a telecommunications	D1: D3, pgs. 5-6; D5.	
("telecom") stage receiving input from a plurality of communication channels;	D8: paras. 46 to 48.	
communication channels,	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2.	
	D10: D11, Page 2; D12, Page 6; D14: entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 2, lines 26-56; Col. 3, lines 5-34; 45-56; Col. 3, line 65 — Col. 4, line 3; Col. 4, lines 19-26, 43-49; Col. 4, line 63 — Col. 5, line 9; Col. 5, lines 27-35, Col. 5, lines 56 — Col. 6, line 2; Col. 6, lines 6-17, 47-54, 56-64.	
	D25: pgs. 1-6.	
	D26: FIG 4.; FIG. 6; Col. 6, lines 11-62, Col. 8, line 32-Col. 9, line 10; Claims 1-2.	
	D27: entire document.	
	D28: entire document.	
b) a recorder stage having one or more recorders, at	D1: D3, pgs. 5-7, and 16; D4, pgs. 3-5; D5; D6; D7.	
least one recorder logging data associated with information transmitted on	D8: paras. 34, 38, 39, 43, 58, 71-75, and 78.	
at least one of said plurality of communication channels;	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2.	
	D10: D11, Page 2; D14, Page 6; D14: entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
	D26: FIGs. 1-6; Col. 6, lines 11-62, Col. 8, line 32-Col. 9, line 10; Col. 11, lines 28-36; Claims 1-2; Col. 1, line 10-Col. 2, line 61.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D27: entire document.	
	D28: entire document.	
c) a distribution stage providing access to data	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
logged in the recorder stage;	D8: para. 40-42.	
	D9: FIG. 2, pg. 21, line 23 - pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Page 6, 7; D14, Page 1; D17, Page 2; D16, Pages 6- 16; D13, entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D25: pgs. 1-6.	
	D26: entire document.	
	D27: entire document.	
	D28: entire document.	
d) a first interface linking the telecom and the recorder	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
stages and a second interface linking the	D8: FIG. 1; para. 46-48.	
recorder and the distribution stages;	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Page 6, 7; D17, Page 2; D16, Pages 6-16; D13, entire document; D14: entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D21: entire document; D22: entire	
	document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
	D26: FIGs. 1-6, Claims 1-2.	
	D27: entire document.	
	D28: entire document.	
wherein at least two stages	D1: D3, pgs. 5-6; D4, pgs. 4-5; D5.	
of the system are physically separable and in operation can be located wide	D8: FIG. 1; para. 30-33.	
distances apart.	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document, 4; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
	D26: FIGs. 1-6; Claims 1-2.	
	D27: entire document.	
	D28: entire document.	
6. The data logging system of claim 1 wherein the	D1: D3, pgs. 5, 10; D4, pgs. 3-5; D5.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D1.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
telecom stage provides time	D8: para. 35, 99.	
stamping of the received input.	D9: FIG. 2, pg. 21, line 30 - pg. 22, line 1.	Claim 6 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16,	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	Pages 6-16; D13, entire document; D14: entire document; D15: entire document.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	D11: entire document.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D20: entire document.	Claim 6 is invalid under 35 U.S.C.
	D21: entire document; D22: entire document.	§102(b) as anticipated by D20.
	D23: entire document.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D25: pgs. 1-6.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
	D26: FIG. 8, Col. 7,lines 29-40.	Claim 6 is invalid under 35 U.S.C.
	D27: Page 1.	§102(e) as anticipated by D26.
	D28: Page 1.	Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
		Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D28.
		Claim 6 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of
		recordings received in a distributed system, and with many participants using diverse methods of participation.
14. The data logging system of claim 1 wherein the distribution stage comprises:		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
222000000000000000000000000000000000000		Claim 14 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 14 is invalid under 35 U.S.C. \$102(e) as anticipated by D26.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D28.
		Claim 14 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		of D25 to enable the multicast Media- on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
c1) a first interface receiving data from the	D1: D3, Page 5; D5.	
recorder stage;	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	
	D11: entire document.	
<b>V</b>	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
	D26: FIGs. 4-7.	
	D27: entire document.	
	D28: entire document.	
c2) a controller for directing and monitoring distribution	D1: D2, pgs. 3-4, 7; D3, pgs. 5-7; D5.	
stage operations;	D8: para. 31, 40-45, 90-94, 108, 109.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document; D15:	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	entire document.	
	D9: PIG. 2, pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
	D26: FIGs. 4-7; Claims 1-2; Col. 5, lines 24-44; Col. 9, line 1 – Col. 11, line 59; Col. 13, line 11, line 45.	
	D27: entire document.	
	D28: entire document.	
c3) a buffer for transitional data storage; and	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire document.	
	D11: entire document.	
	D20: entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
	D26: FIGs. 1-7, Col. 16, lines 9-44; Col. 11, lines 28-36.	
	D27: entire document.	
	D28: entire document.	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
c4) a second interface for distributing data to one or	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	
more output channels.	D8: para. 31, 40-45, 90-94, 108, 109.	
	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document.	
	D20; entire document.	
	D21: entire document; D22: entire document.	
	D23: entire document.	
	D25: pgs. 1-6.	
	D26: FIGs. 1-7, Claims 1-2; Col. 9, line 28- Col. 11, line 16.	
	D27: entire document.	
	D28: entire document.	
15. The data logging system of claim 1 wherein the distribution stage comprises	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
an archive storage device for archiving data.	D9: FIG. 2, pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	Claim 15 is invalid under 35 U.S.C. \$102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	D11: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
	D20: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
	D21: entire document; D22: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document.	Claim 15 is invalid under 35 U.S.C.
	D25: pgs. 1-6.	§102(b) as anticipated by D23.
	D26: FIGs. 1-7, Claims 1-2; Col. 9, line 28- Col. 11, line 16.	Claim 15 is invalid under 35 U.S.C. §102(e) as anticipated by D26.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D27: entire document.  D28: entire document.	Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D27.  Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D28.  Claim 15 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.  It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
17. The data logging system of claim 15 wherein said archive storage device is a RAID array.		Claim 17 is invalid under 35 U.S.C. §103 as obvious over D1 and/or D9 and/or D10 and/or D20 and/or D21 and/or D23 and/or D25 and/or D26 and/or D27 and/or D28.  It would have been obvious to one of ordinary skill in the art to replace a hard disk drive, as in D1, D9, D10, D11, D20, D21, D23, D25, D26, D27, or D28 with a RAID array, as was known in the art, to increase data integrity, data storage capacity, and/or fault-tolerance.  A data logging system designer of

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		ordinary skill in the art, facing the wide range of needs created by developments in the field of data logging systems, would have seen a benefit to replace a RAID array with the hard disk drive teachings of D1, D9, D10, D11, D20, D21, D23, D25, D26, D27, or D28 to increase data integrity, data storage capacity, and/or fault-tolerance.
19. The data logging system of claim 1 wherein the distribution stage comprises:		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D1.
		Claim 19 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D11.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D23.
		Claim 19 is invalid under 35 U.S.C. §102(e) as anticipated by D26.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D28.
		Claim 19 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
an operating system software application and a computer capable of running said software application and accessing one or more remote serve computers.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 31, 40-45, 90-94, 108, 109.  D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.  D10: D11, Pages 1-3, D12, Pages 2-7; D14, Page 1, 4; D17, Page 2; D16, Pages 6-16; D13, entire document; D15: entire	
	document.  D11: entire document.  D20: entire document.  D21: entire document; D22: entire	
	document.  D23: entire document.  D25: pgs. 1-6.	
	D26: entire document. D27: entire document. D28: entire document.	
32. The data logging system of claim 1, wherein the distribution stage is	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D1.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
implemented as a network	D8: para. 40-42.	Claim 32 is invalid under 35 U.S.C.
server.		§102(e) as anticipated by D8.
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	Claim 32 is invalid under 35 U.S.C.
	D10: D11, Pages 1-3, D12, Pages 2-7;	§102(b) as anticipated by D9.
	D14, entire document; D17, Page 2; D16,	Claim 32 is invalid under 35 U.S.C.
	Pages 6-16; D13, entire document.	§102(b) as anticipated by D10.
	D11: entire document.	Claim 32 is invalid under 35 U.S.C. \$102(b) as anticipated by D11.
	D20: entire document.	\$202(8) <b>1</b> 8 mmorphise 2) 2 1 1.
		Claim 32 is invalid under 35 U.S.C.
	D21: entire document; D22: entire document.	§102(b) as anticipated by D20.
		Claim 32 is invalid under 35 U.S.C.
	D23: entire document.	§102(b) as anticipated by D21.
	D25: pgs. 1-6.	Claim 32 is invalid under 35 U.S.C.
		§102(b) as anticipated by D23.
	D26: FIGs. 1-7; Col. 9, line 40 – Col. 11,	Object of the series of the Object of Object o
	line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2.	Claim 32 is invalid under 35 U.S.C. \$102(e) as anticipated by D26.
	Claims 1-2.	\$102(e) as anticipated by D26.
	D27: entire document.	Claim 32 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
	D28: entire document.	grob(o) as annorpaid of BB11
		Claim 32 is invalid under 35 U.S.C.
		§102(b) as anticipated by D28.
		Claim 32 is invalid under 35 U.S.C.
		§102(b) as anticipated by D25, or in
		the alternative, under 35 U.S.C. §103
		as obvious over D25 in view of D1,
		D8, D9, D10, D11, D20, D21, D23,
		and/or D24.
		It would have been obvious to one of
		ordinary skill in the art to include the
		ability to receive communication
		channels from a telecom stage, as in
		D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system
		of D25 to enable the multicast Media-
		on-Demand system to record audio
		received from a telecom stage.
		A media on demand system designer
		of ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of media on
		demand systems, would have seen a benefit to include the ability to receive
		communication channels via a telecom

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
33. The data logging system of claim 32, wherein the network server is a Web server.	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3, D5.  D8: para. 40-42.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the alternative, under 35 U.S.C. §103 as obvious over D1 in view of D8.
	D9: FIG. 2; pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.  D10: D11, Pages 1-3, D12, Pages 2-7;	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D10, or in the alternative, under 35 U.S.C. §103 as obvious over D10 in view of D8.
	D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.  D20: entire document.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D20, or in the alternative, under 35 U.S.C. §103 as obvious over D20 in view of D8.
	D21: entire document; D22: entire document.  D23: entire document.	Claim 33 is invalid under 35 U.S.C. \$102(b) as anticipated by D21.
	D25: pgs. 1-6.	Claim 33 is invalid under 35 U.S.C. §102(e) as anticipated by D26.
	D26: FIGs. 1-7; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
	D27: entire document.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D28.
^	D28: entire document.	Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D23, or in the alternative, under 35 U.S.C. §103 as obvious over D23 in view of D8.
		Claim 33 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		Claim 33 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21,

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		D23, or D24, in the recording system
		of D25 to enable the multicast Media- on-Demand system to record audio
		received from a telecom stage.
		Tood you from a forceom stage.
		A media on demand system designer
		of ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of media on demand systems, would have seen a
		benefit to include the ability to receive
		communication channels via a telecom
		stage, as in D1, D8, D9, D10, D11,
		D20, D21, D23, or D24 with the
		teaching of D25 to permit playback of
		recordings received in a distributed
		system, and with many participants
		using diverse methods of participation.
		D8 discloses a call center with call
		recording capabilities, where the call
		center is accessible via a web server
·		and a browser. It would have been
		obvious to one of ordinary skill in the
		art to utilize a web server to permit remote access, as in D1, D10, D20,
		D23, and/or D25 from web-based
		clients, as the world-wide-web is a
		popular and easily accessible network
		for remotely connecting to a
		computer/network.
		A data logging system designer of
		ordinary skill in the art, facing the
		wide range of needs created by
		developments in the field of data
		logging systems, would have seen a
		benefit to incorporate a web server of D8 with the teachings of D1, D10,
		D20, D23, or D25 to permit remote
		access from the world-wide-web,
	·	which is a popular and easily
		accessible network for remotely
		connecting to a computer/network.
		Claim 33 is invalid under 35 U.S.C.
		§102(b) as anticipated by D9.
34. The data logging system	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 34 is invalid under 35 U.S.C.
of claim 32, wherein the	D5.	§102(b) as anticipated by D1.
network server is a file	D8: nara 40.42	Claim 34 is invalid under 25 II 5 C
server.	D8: para. 40-42.	Claim 34 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
	D9: FIG. 2; pg. 6, line 33 - pg. 7, line 2;	525267 an amorphism of Doi

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	pg. 21, line 23 – pg. 22, line 2.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16, D13, entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	D20: entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
	D21: entire document; D22: entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D23: entire document.	Claim 34 is invalid under 35 U.S.C.
	D25: pgs. 1-6.	§102(e) as anticipated by D26.
	D26: FIGs. 1-7; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
	D27: entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D28.
	D28; entire document.	Claim 34 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
43. A data logger, comprising:		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D1.

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		Claim 43 is invalid under 35 U.S.C. §102(e) as anticipated by D8.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D10.
	·	Claim 43 is invalid under 35 U.S.C. \$102(b) as anticipated by D11.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D20.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D21.
		Claim 43 is invalid under 35 U.S.C. \$102(b) as anticipated by D23.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D24.
		Claim 43 is invalid under 35 U.S.C. §102(e) as anticipated by D26.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D27.
		Claim 43 is invalid under 35 U.S.C. \$102(b) as anticipated by D28.
		Claim 43 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom device, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.
		A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	,	developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.
a telecommunication device receiving input from a	D1: D6, and D7 Pages 2-5.	
plurality of communication channels;	D8: paras. 46 to 48.	
channels;	D9: PIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23	
	D25: pgs. 1-6.	
	D26: FIG 4.; FIG. 6; Col. 6, lines 11-62, Col. 8, line 32-Col. 9, line 10; Claims 1-2.	
	D27: entire document.	
	D28: entire document.	
a processor converting the received input to one or	D1: D6, and D7 Pages 2-5.	
more data formats;	D8: paras. 47 to 52.	
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16,	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
	D26: FIGs 4-7; Col. 6, lines 11-62, Col. 8, line 10-Col. 9, line 10; Col. 11, lines 4-36; Claims 1-2.	
	D27: entire document.	
	D28: entire document.	
a memory for logging	D1; D3, pgs. 5, 10; D4, pgs. 3-5; D5.	
information about the received input, the	D8: para. 34-35, 38, 78, and 99.	
information comprising data converted to at least one data format;	D9: PIG. 2; pg. 6, line 33 - pg. 7, line 2; pg. 21, line 23 - pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	
	D25: pgs. 1-6.	
	D26: D26: FIGs. 1-7, Claims 1-2; Col. 9,	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	line 28- Col. 11, line 16.	
	D27: entire document.	
	D28: entire document.	
a communication path to a communications network;	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
and	D8: para. 40-42.	
	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	
	D21: entire document; D22: entire document.	
	D23: entire document	
	D24: FIG. 3; Col. 1, line 55 – Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.	·
	D25: pgs. 1-6.	
	D26: FIGs. 1-7.	
	D27: entire document.	
	D28: entire document.	
a server having access to the memory via the	D1: D3, pgs. 5-8; D4, pgs. 4-5; D5.	
communications network for transferring logged data	D8: para. 40-42.	
from one or more of said plurality of communication channels via the communications network to at least one remote user.	D9: FIG. 2; pg. 6, line 33 – pg. 7, line 2; pg. 21, line 23 – pg. 22, line 2.	
	D10: D11, Pages 1-3, D12, Pages 2-7; D14, entire document; D17, Page 2; D16, Pages 6-16; D13, entire document.	
	D11: entire document	
	D20: entire document	

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
	D21: entire document; D22: entire	
	document.	
	D23: entire document	
	D24: D11: FIG. 3; Col. 2, lines 26-56;	
	Col. 3, lines 5-34; 45-56; Col. 3, line 65 – Col. 4, line 3; Col. 4, lines 19-26, 43-49;	
	Col. 4, line 63 – Col. 5, line 9; Col. 5,	
	lines 27-35, Col. 5, lines 56 – Col. 6, line	
	2; Col. 6, lines 6-17, 47-54, 56-64.	
	D25: pgs. 1-6.	
	D26: entire document.	
	D27: entire document.	
	D28: entire document.	
44. The data logger of claim	D1: D2, pg. 9, D3, pgs. 5-7, D4, pg. 3,	Claim 44 is invalid under 35 U.S.C.
43 wherein the server is a	D5.	§102(e) as anticipated by D8.
Web server and the		
communications network is the Internet.	D8: para. 40-42.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D9.
ine miernet.	D9: PIG. 2; pg. 6, line 33 – pg. 7, line 2;	\$102(b) as anticipated by 199.
	pg. 21, line 23 – pg. 22, line 2.	Claim 44 is invalid under 35 U.S.C.
		§102(e) as anticipated by D26.
	D10: D11, Pages 1-3, D12, Pages 2-7;	ST
	D14, entire document; D17, Page 2; D16,	Claim 44 is invalid under 35 U.S.C.
	Pages 6-16; D13, entire document.	§102(b) as anticipated by D27.
	D11: entire document	Claim 44 is invalid under 35 U.S.C.
		§102(b) as anticipated by D28.
	D21: entire document; D22: entire	Otalina 44 la la callal and a 25 M C C
	document.	Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D1, or in the
	D24: FIG. 3; Col. 2, lines 26-56; Col. 3,	alternative, under 35 U.S.C. §103 as
	lines 5-34; 45-56; Col. 3, line 65 – Col. 4,	obvious over D1 in view of D8.
	line 3; Col. 4, lines 19-26, 43-49; Col. 4,	
	line 63 – Col. 5, line 9; Col. 5, lines 27-	Claim 44 is invalid under 35 U.S.C.
	35, Col. 5, lines 56 – Col. 6, line 2; Col.	§102(b) as anticipated by D10, or in the alternative, under 35 U.S.C. §103
	6, lines 6-17, 47-54, 56-64.	as obvious over D10 in view of D8.
	D25: pgs. 1-6.	SO THE SECOND STATE OF THE
		Claim 44 is invalid under 35 U.S.C.
	D26: FIGs. 1-7; Col. 9, line 40 – Col. 11,	§102(b) as anticipated by D11, or in
	line 16, Col. 14, line 33- Col. 16, line 44.	the alternative, under 35 U.S.C. §103 as obvious over D1 in view of D8 or
	D27: entire document.	D27 or D28.
	D28: entire document.	Claim 44 is invalid under 35 U.S.C.
		§102(b) as anticipated by D21, or in
		the alternative, under 35 U.S.C. §103

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		as obvious over D21 in view of D8 or
		D27 or D28.
		Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D23, or in the alternative, under 35 U.S.C. §103 as obvious over D23 in view of D8 or D27 or D28.
		Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D24, or in the alternative, under 35 U.S.C. §103 as obvious over D24 in view of D8 or D27 or D28.
		D8, D27, and D28 disclose a call center with call recording capabilities, where the call center is accessible via the Internet, a web server and a browser. It would have been obvious to one of ordinary skill in the art to utilize a web server to permit remote access, as in D1 and/or D10 and/or D11 and/or D21 and/or D23 and/or D24, from Internet-based clients, as the world-wide-web is a popular and easily accessible network for remotely connecting to a computer/network.
		A data logging system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of data logging systems, would have seen a benefit to incorporate a web server of D8, D27 or D28 with the teachings of D1 and/or D10 and/or D11 and/or D21 and/or D23 and/or D24 to permit remote access from the world-wideweb, which is a popular and easily accessible network for remotely connecting to a computer/network.
		Claim 44 is invalid under 35 U.S.C. §102(b) as anticipated by D25, or in the alternative, under 35 U.S.C. §103 as obvious over D25 in view of D1, D8, D9, D10, D11, D20, D21, D23, and/or D24.
		It would have been obvious to one of ordinary skill in the art to include the ability to receive communication channels from a telecom device, as in

372 Claim	Prior Art Reference(s) (if applicable)	Invalidity Bases
		D1, D8, D9, D10, D11, D20, D21, D23, or D24, in the recording system of D25 to enable the multicast Media-on-Demand system to record audio received from a telecom stage.  A media on demand system designer of ordinary skill in the art, facing the wide range of needs created by developments in the field of media on demand systems, would have seen a benefit to include the ability to receive communication channels via a telecom stage, as in D1, D8, D9, D10, D11, D20, D21, D23, or D24 with the teaching of D25 to permit playback of recordings received in a distributed system, and with many participants using diverse methods of participation.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D1: U.S. Publication No.	
	2001/0043697 to Cox, published	
	November 22, 2001, filed on May 11,	
	1998.(WSNSDE0000874-94)	
	D2: PCT Publication No. WO	
	98/13995 to Smythe, published April	
	2, 1998, filed September 25,	
	1997.(WSNSDE0008433-77)	
	D3: U.S. Patent No. 5,668,863 to	
	Bieslin, filed April 26, 1996, claiming	
	priority to U.S. Application Serial No.	
	08/509,390, filed June 31,	
	1995.(WSNSDE0005185-5222)	
	D4: Blue Cross Blue Shield Eclipse,	
	sold in the U.S. before June 2, 1998.	
	D5: Blue Cross Blue Shield User	
	Guide (illustrating hardware of D1	
	sale) (WSNSDE0012983-92)	
	D6: Application Development Guide	
	- Blue Cross / Blue Shield Eclipse	
	Project Eclipse Modification and	
	Design (illustrating hardware of D4	
	sale) (WSNSDE0012967-82)	
	D7: Tracking Agent Id through Inter-	
	Site Call Transfers (illustrating	
	hardware of D1	
	sale)(WSNSDE0012993-4)	
	D8: Racal Rapidax, sold in the U.S. as	
	of at least December 21, 1992.	
	DO D 1414-P 1 P 1	
	D9: Racal Adds Remote Replay	
	Over LAN to Wordnet Voice-Logging	
	Recorder, dated June 17, 1996	
	(MERC013540)	
	D10 D 11 - E	
	D10: Rapidax Tape Archive and	
	System Network. (NSDE008303-	
	008304) (evidencing hardware of D8	v.
	sale)	
	D	
	D11: Rapidax in Surveillance and	
	Security Monitoring (NSDE008310-	
	008311) (evidencing hardware of D8	
	sale).	
	D12: Rapidax Access Voice Logging	
	Recorder. (NSDE008312-008319)	
	(evidencing hardware of D8 sale).	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D13: "Operator s Manual." (NSDE008320-008324) (evidencing hardware of D8 sale).	
	D14: Deposition of Andrew Jackson in Dictaphone Corp. vs. Nice Systems, Ltd., dated June 21, 2002, Civil Action 3:00CV1143. (NSDE008273-008299) (evidencing hardware of D8 offer for sale).	
	D15: United States Patent No. 6,222,838 to Sparks, filed November 26, 1997. (WSNSDE0006107-15)	
	D16: European Patent Publication 0837388A2, to Yamakita, filed October 9, 1997, claiming priority to October 15, 1996. (WSNSDE0000631- 48)	
	D17: "Proposal for a Quality Monitoring / Agent Evaluation System", dated August 20, 1998. (WSNDE 013060-066)	
	D18: Canon ITS Technology Services Incorporated Quality Monitoring Functionality Design, dated November 18, 1998. (WSNDE 013035-059) (evidencing the hardware and function of the D17 offer for sale.)	
	D19: Parnes et al, "mMOD: the multicast Media-on-Demand system," dated March 6, 1997. (WSISTS065463-8)	
	D20: U.S. Patent No. 6,233,318 to Picard et al., filed Nov. 5, 1996. (WSNSDE063951-74)	
	D21: "Access Web TM. Internet Messaging Application," BostonTechnology.com, dated Dec. 27, 1996. (WSNSDB063975-77)	
	D22: "Boston Technology Completes The Connection! Adds Internet Support To Its Public Network Services," PR Newswire, dated Nov. 30, 1995. (WSNSDE063946-50)	

920 Claim	Prior Art Reference(s)	Invalidity Bases
1. A method for accessing	D1: Page 2, Para. 17, 30, 31, 34; Page	This claim is invalid under 35 U.S.C.
information in at least one	3, para. 43, 45, 47, 48; Page 4, para.	§102(e) as anticipated by D1.
digital logger storing data associated with input from a	51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.	This claim is invalid under 35 U.S.C.
plurality of input channels,	rage 7, para. 62.	§102(b) as anticipated by D2.
comprising:	D2: Page 5, lines 11-12; Page 7, lines	
	10-20.	This claim is invalid under 35 U.S.C.
		§102(b) as anticipated by D3.
	D3: Col. 1, line 54 - Col. 2, lines 19; Col. 3, lines 31-34; Col. 3, line 56	This claim is invalid under 35 U.S.C.
	Col. 4, line 9; Col. 10, lines 8-14.	§ 102(b) as anticipated by D4.
	, , , , , , , , , , , , , , , , , , ,	"
	D4: D5, entire document; D6, entire	This claim is invalid under 35 U.S.C.
	document; D7: entire document.	§ 102(b) as anticipated by D8.
	De. Dia surius de sumanti Dia antino	This alsies is invested under 25 FLC C
	D8: D10, entire document; D10, entire document; D11, entire document; D12,	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D9.
	entire document; D13, entire	s 102(b) as antioipalou by 5%.
	document.	This claim is invalid under 35 U.S.C.
1		§ 102(b) as anticipated by D15
	D9, Pages 1-3.	This claim is invalid under 35 U.S.C.
	D14: Page 9, lines 22-24.	§ 102(b) as anticipated by D16
	Dia. Tugo y, mios 22 2 ii	a roz(s) as amospace sy 210
	D15: Figure 3; Col. 1, line 55 Col. 2,	This claim is invalid under 35 U.S.C.
	line 55; Col. 3, lines 5-34; 47-56, Col.	§ 102(b) as anticipated by D17
	4, lines 19-26; Col. 5, lines 17-37, 39-	This claim is invalid under 35 U.S.C.
	47; Col. 7, lines 4-13.	§ 102(b) as anticipated by D19
	D16: Col. 1, lines 1-7, 35-55; Col. 2,	"
	lines 25-40; Col. 2, line 47 Col. 3,	Claim 1 is invalid under 35 U.S.C.
	line 7; Col. 3, lines 37-49; Col. 5, lines	§102(e) as anticipated by D20.
	38-54; Col. 6, line 34 Col. 8, line 55; Figure 1, 2, 5-9.	Claim 1 is invalid under 35 U.S.C.
	11galo 1, 2, 5 ).	§102(b) as anticipated by D21.
	D17: D18: entire document.	
		Claim 1 is invalid under 35 U.S.C.
	D19: Page 1-6.	§102(b) as anticipated by D22.
	D20: FIGs 4-7; Col. 6, lines 11-62,	This claim is invalid under 35 U.S.C.
	Col. 8, line 32-Col. 9, line 10; Claims	§103(a) as obvious in view of D2 or
	1-2.	D3 in combination with D1 and/or D2
	DOI: autim de la cont	and/or D9 and/or D14 and/or D15
	D21: entire document.	and/or D16 and/or D19.
	D22: entire document.	
at a Web server having access	D1: Page 2, Para. 17, 30, 31, 34; Page	It would have been obvious to one of
to said at least one digital	3, para. 43, 45, 47, 48; Page 4, para.	ordinary skill in the art to incorporate
logger,	51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.	D1 and/or D9 and/or D15 and/or D16 and/or D19 s digital logger associated
	1 ago 1, para. 92.	with input from a plurality of input
	D2: Page 5, lines 11-12.	channels in the network-based
		conference system of D2 or the call
	D3: Col. 2, lines 4-7; Col. 3, lines 31-	conference recording system of D3 to

920 Claim	Prior Art Reference(s)	Invalidity Bases
	46; Col. 9, line 67 – Col. 10, lines 8-	make recordings available to more
	14; Col. 10, lines 59 – Col. 11, line 36.	clients across a greater geographical
	D4: entire document; D5, Pages 5-9;	area.
	D6, Pages 5-11; D7: entire document	A digital logger designer of ordinary
		skill, facing the wise range of needs
	D8: D10, entire document; D10, entire	created by developments in the field
	document; D11, entire document; D12,	of endeavor, would have seen a
	entire document; D13, entire	benefit to incorporate D1 and/or D9
	document.	and/or D15 and/or D16 and/or D19 s
	DO D 1.0	digital logger associated with input
	D9: Pages 1-3.	from a plurality of input channels in the network-based conference system
	D14: Page 9, lines 22-24.	of D2 or the call conference recording
	1914. Tugo 9, miles 22 24.	system of D3 to make recordings
	D15: Figure 3; Col. 2, lines 26-56;	available to more clients across a
	Col. 3, lines 5-34; 45-56; Col. 3, line	greater geographical area.
	65 – Col. 4, line 3; Col. 4, lines 19-26,	
	43-49; Col. 4, line 63 – Col. 5, line 9;	
	Col. 5, lines 27-35, Col. 5, lines 56 –	
	Col. 6, line 2; Col. 6, lines 6-17, 47-54,	
	56-64.	
	D16: Col. 2, lines 25 – Col. 3, line 3;	
	Col. 3, lines 7-37; Col. 5, line 38 –	
	Col. 6, lines 10-32; Figures 1, 2, 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D20: FIGs. 1-7; Col. 9, line 40 - Col.	
	11, line 16, Col. 14, line 33- Col. 16,	
	line 44; Claims 1-2.	
	D21: entire document.	
	D22: entire document.	
	D22. CHINE OCCURRENT.	
receiving a request for retrieval	D1: Page 1, para. 15-17; Page 2, para	
of stored data from a client;	31, 35; Page 3, para. 38, 39, 45; Page	
,	6, para. 72, 73, 77, 78; Page 10, claim	
	25.	
	D2: Page 20, lines 28-29.	
	D3: Col. 3, lines 38-45; Col, 4, lines	
	10-21; Col. 5, lines 31-58; Col. 6, line	
	23 - Col. 7, line 44; Col. 7, line 57 -	·
	Col. 8, line 19; Col. 11, lines 18-22.	
	District documents DS, Barren 50.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	20. ragos 5 11, 127. Omnie document	
	D8: D10, entire document; D10, entire	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	document; D11, entire document; D12,	
	entire document; D13, entire document.	
	document	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23.	·
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D20: FIGs. 1-7; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2.	
	D21: entire document.	
	D22: entire document.	
retrieving stored data in	D1: Page 1, para. 15-17; Page 2, para.	
accordance with the received	31; Page 3, para. 38-45; Page 6, para.	
request;	72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 3, lines 38-45; Col, 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 9, lines 18 – Col. 10, 14; Col. 10, line 47 – Col. 11, 22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	3, line 47 – Col. 5, line 26 – Col. 6, 6-	
	17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D20: FIGs. 1-7; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2.	
	D21: entire document.	
	D22: entire document.	
and transferring the retrieved data to the client.	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D20: FIGs. 1-7; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D21: entire document.	
	D22: entire document.	
3. The method of claim 2 wherein the step of retrieving	D1: Page 2, Para. 17, 30, 31, 34, 35; Page 3, para. 43, 45, 47, 48; Page 4,	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.
stored data comprises accessing call information for a record of an input channel made by said	para. 51, 58; Page 6, para. 71, 72, 74, 77, 78; Page 7, para. 82.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
at least one digital logger.	D2: Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.
	D4: entire document; D5: Pages 5-9; D7: entire document	This claim is invalid under 35 U.S.C.
	D8: D10, entire document; D10, entire document; D11, entire document; D12,	§ 102(b) as anticipated by D8.  This claim is invalid under 35 U.S.C.
	entire document; D13, entire document.	§ 102(b) as anticipated by D15
	D9, Pages 1-3.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D16
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D17
	17, 47-53; Col. 7, lines 9-23.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D19
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16, 38-54; Col. 6, lines 17-32, 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 8, lines 33-54; Col. 9,	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D20.
	lines 12 – Col. 10, line 8; Figure 1, 2, 5-9.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D17: D18: entire document.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D22.
	D19: Pages 1-6.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 or
	D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-40.	D3 in combination with D1 and/or D2 and/or D9 and/or D14 and/or D15 and/or D16 and/or D19.
	D21: entire document.	It would have been obvious to one of ordinary skill in the art to incorporate
	D22: entire document.	D1 and/or D9 and/or D15 and/or D16 and/or D19 s digital logger associated
		with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to
		make recordings available to more

920 Claim	Prior Art Reference(s)	Invalidity Bases
		clients across a greater geographical area.
		A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19 s digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.
6. The method of claim 1 wherein the step of retrieving stored data comprises accessing	D1: Page 8, para. 99, 103.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
archived data at the Web server corresponding to a record of an	D2: Page 21, lines 23-25. D3: Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
input channel made by said at least one digital logger.	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9,	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.
	lines 12 – Col. 10, line 8; Figure 1.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D20.
	D17: D18: entire document. D19: Pages 1-6.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D22.
	40. D21: entire document.	It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D15 and/or D16 and/or
	D22: entire document.	D19 s digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.
		A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D15 and/or D16 and/or D19 s digital logger associated with input from a plurality of input channels in the

920 Claim	Prior Art Reference(s)	Invalidity Bases
		network-based conference system of D2 or the call conference recording system of D3 or the multicast Media-on-demand system of D19 to make recordings available to more clients across a greater geographical area.
16. A method for accessing information stored by at least one digital logger storing data associated with input from a plurality of communication channels, comprising:	D1: Page 2, Para. 17, 30, 31, 34; Page 3, para. 43, 45, 47, 48; Page 4, para. 51, 58; Page 6, para. 71, 72, 77, 78; Page 7, para. 82.  D2: Page 5, lines 11-12; Page 7, lines 10-20.  D3: Col. 1, line 54 - Col. 2, lines 19; Col. 3, lines 31-34; Col. 3, line 56 - Col. 4, line 9; Col. 10, lines 8-14.  D4: D5, entire document; D6, entire document; D7: entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.  D9: Pages 1-3.  D14: Page 9, lines 22-24.  D15: Figure 3; Col. 1, line 55 - Col. 2, line 55; Col. 3, lines 5-34; 47-56, Col. 4, lines 19-26; Col. 5, lines 17-37, 39-47; Col. 7, lines 4-13.  D16: Col. 1, lines 1-7, 35-55; Col. 2, line 7; Col. 3, lines 37-49; Col. 5, lines 38-54; Col. 6, line 34 - Col. 8, line 55; Figure 1, 2, 5-9.  D17: D18: entire document.  D19: Page 1-6.  D20: FIGs. 1-8; Col. 9, line 40 - Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-40.  D21: entire document.	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.  This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D9.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D15  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D16  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D17  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D19  This claim is invalid under 35 U.S.C. § 102(e) as anticipated by D20.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D21.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D21.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D22.  This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D22.  This claim is invalid under 35 U.S.C. § 103(a) as obvious in view of D2 or D3 in combination with D1 and/or D2 and/or D9 and/or D14 and/or D15 and/or D16 and/or D19.

920 Claim	Prior Art Reference(s)	Invalidity Bases
at a Web server having access	D1: Page 2, Para. 17, 30, 31, 34; Page	It would have been obvious to one of
to said information stored by at	3, para. 43, 45, 47, 48; Page 4, para.	ordinary skill in the art to incorporate
least one digital logger over a	51, 58; Page 6, para. 71, 72, 77, 78;	D1 and/or D9 and/or D15 and/or D16
communications network,	Page 7, para. 82.	and/or D19's digital logger associated
•		with input from a plurality of input
	D2: Page 5, lines 11-12.	channels in the network-based
	D2. 12800, 11100 11 12.	conference system of D2 or the call
	D3: Col. 2, lines 4-7; Col. 3, lines 31-	conference recording system of D3 to
	46; Col. 9, line 67 – Col. 10, lines 8-	make recordings available to more
•	14; Col. 10, lines 59 – Col. 11, line 36.	clients across a greater geographical
	14, 001. 10, 11103 55	area.
	D4: entire document; D5, Pages 5-9;	mou.
	D6, Pages 5-11; D7: entire document	A digital logger designer of ordinary
	Do, 1 ages 5-11, D7. Chure document	skill, facing the wise range of needs
	D9. D10 autim de ausseut D10 antins	
	D8: D10, entire document; D10, entire	created by developments in the field
	document; D11, entire document; D12,	of endeavor, would have seen a
	entire document; D13, entire	benefit to incorporate D1 and/or D9
	document.	and/or D15 and/or D16 and/or D19's
	DD D 1.7	digital logger associated with input
	D9: Pages 1-3.	from a plurality of input channels in
		the network-based conference system
	D14: Page 9, lines 22-24.	of D2 or the call conference recording
		system of D3 to make recordings
	D15: Figure 3; Col. 2, lines 26-56;	available to more clients across a
	Col. 3, lines 5-34; 45-56; Col. 3, line	greater geographical area.
	65 – Col. 4, line 3; Col. 4, lines 19-26,	
	43-49; Col. 4, line 63 – Col. 5, line 9;	
	Col. 5, lines 27-35, Col. 5, lines 56 -	
	Col. 6, line 2; Col. 6, lines 6-17, 47-54,	
	56-64.	
	D16: Col. 2, lines 25 – Col. 3, line 3;	
	Col. 3, lines 7-37; Col. 5, line 38 –	
	Col. 6, lines 10-32; Figures 1, 2, 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D00, FIG. 1 9, G-1 0 15 40 G 1	
	D20: FIGs. 1-8; Col. 9, line 40 – Col.	
	11, line 16, Col. 14, line 33- Col. 16,	
	line 44; Claims 1-2; Col. 7, lines 29-	
	40.	
	TOO 1. and by day areas	
	D21: entire document.	
	D22: entire document.	
	D22. Chine document.	
receiving a request for retrieval	D1: Page 1, para. 15-17; Page 2, para	
of stored data from a user;	31, 35; Page 3, para. 38, 39, 45; Page	
and a dam a dam a dam,	6, para. 72, 73, 77, 78; Page 10, claim	
	25.	
	D2: Page 20, lines 28-29.	
	22. Augo 20, miles 20-27.	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D3: Col. 3, lines 38-45; Col, 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; line 55; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	·
	D17: D18: entire document.	
	D19: Pages 1-6	
	D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-40.	
	D21: entire document.	
	D22: entire document.	
retrieving said stored data from said information in accordance with the received request;	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 3, lines 38-45; Col, 4, lines 10-21; Col. 5, lines 31-58; Col. 6, line 23 – Col. 7, line 44; Col. 7, line 57 – Col. 8, line 19; Col. 9, lines 18 – Col. 10, 14; Col. 10, line 47 – Col. 11, 22.	
	D4: entire document; D5: Pages 5-9;	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	·
	D14: Page 9, lines 22-24.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-40.	
	D21: entire document.	
	D22: entire document.	
and transferring the retrieved data to the client.	D1: Page 1, para. 15-17; Page 2, para. 31; Page 3, para. 38-45; Page 6, para. 72, 73, 77; page 10, claim 25;	
	D2: Page 21, lines 23-25.	
	D3: Col. 11, lines 18-22.	
	D4: entire document; D5: Pages 5-9; D6: Pages 5-11; D7: entire document	
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	
	D9, Pages 1-3.	
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26 – Col. 6, 6-	

920 Claim	Prior Art Reference(s)	Invalidity Bases
	17, 47-53; Col. 7, lines 9-23.	
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8.	
	D17: D18: entire document.	
	D19: Pages 1-6.	
	D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-40.	
	D21: entire document.	
	D22: entire document.	
18. The method of claim 17 wherein the step of retrieving	D1: Page 2, Para. 17, 30, 31, 34, 35; Page 3, para. 43, 45, 47, 48; Page 4,	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D1.
stored data comprises accessing call information for a record of a communication channel made	para. 51, 58; Page 6, para. 71, 72, 74, 77, 78; Page 7, para. 82.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
by said at least one digital logger.	D2: Page 21, lines 30 - Page 22, line 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
	D3: Col. 9, lines 13-17; Col. 4, lines 47-54.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D4.
	D4: entire document; D5: Pages 5-9; D7: entire document	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D8.
	D8: D10, entire document; D10, entire document; D11, entire document; D12, entire document; D13, entire document.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D15
-	D9, Pages 1-3.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D16
	D15: Figure 3; Col. 1, line 57 – Col. 2, line 10; Col. 2, lines 10-16, 49-56; Col. 3, line 47 – Col. 5, line 26; Col. 6, 6-	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D17
	17, 47-53; Col. 7, lines 9-23.	This claim is invalid under 35 U.S.C. § 102(b) as anticipated by D19
	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16, 38-54; Col. 6, lines 17-32, 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 8, lines 33-54; Col. 9,	This claim is invalid under 35 U.S.C. §102(e) as anticipated by D20.
	lines 12 – Col. 10, line 8; Figure 1, 2, 5-9.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D17: D18: entire document.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D22.

920 Claim	Prior Art Reference(s)	Invalidity Bases
	D19: Pages 1-6.  D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-40.	This claim is invalid under 35 U.S.C. §103(a) as obvious in view of D2 or D3 in combination with D1 and/or D2 and/or D9 and/or D14 and/or D15 and/or D16 and/or D19.
	D21: entire document.  D22: entire document.	It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.
		A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D9 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.
21. The method of claim 16 wherein the step of retrieving stored data comprises accessing	D1: Page 8, para. 99, 103.  D2: Page 21, lines 23-25.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D2.
archived data at the Web server corresponding to a record of a communication channel made	D3: Col. 3, lines 59-64.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D3.
by said at least one digital logger.	D16: Col. 2, line 47 – Col. 3, line 3; Col. 5, lines 3-16; Col. 6, lines 41-55; Col. 7, line 57 – Col. 8, line 28; Col. 9, lines 12 – Col. 10, line 8; Figure 1.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D16.  This claim is invalid under 35 U.S.C.
	D17: D18: entire document.	§102(e) as anticipated by D20.
	D19: Pages 1-6.	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D21.
	D20: FIGs. 1-8; Col. 9, line 40 – Col. 11, line 16, Col. 14, line 33- Col. 16, line 44; Claims 1-2; Col. 7, lines 29-	This claim is invalid under 35 U.S.C. §102(b) as anticipated by D22.
	40. D21: entire document.	It would have been obvious to one of ordinary skill in the art to incorporate D1 and/or D15 and/or D16 and/or D19's digital logger associated with

920 Claim	Prior Art Reference(s)	Invalidity Bases
D22	entire document.	input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 to make recordings available to more clients across a greater geographical area.  A digital logger designer of ordinary skill, facing the wise range of needs created by developments in the field of endeavor, would have seen a benefit to incorporate D1 and/or D15 and/or D16 and/or D19's digital logger associated with input from a plurality of input channels in the network-based conference system of D2 or the call conference recording system of D3 or the multicast Media-on-demand system of D19 to make recordings available to more clients across a greater geographical area.

# EXHIBIT G

# REDACTED

# EXHIBIT H

# REDACTED

# EXHIBIT I

#### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD.,	
Plaintiff,	
V.	Civil Action No. 06-311-JJF
WITNESS SYSTEMS, INC.,  Defendant.	

#### JOINT STIPULATED ORDER

Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, "NICE") and Defendant Witness Systems, Inc. hereby stipulate and agree to the following Order:

- 1. NICE confirms that its contention concerning the conception date for U.S. Patent No. 5,274,738 is April 21, 1989;
- NICE confirms that it does not contend and will not file any contentions that any 2. of the claimed inventions were reduced to practice any earlier than the patent application filing date to which the relevant patent claims priority;
- 3. NICE will not object to the timeliness of, or attempt to exclude on that basis, any of Witness Systems' invalidity contentions served to date, including its September 10, 2007 supplementation;
- 4. NICE will not attempt to further supplement its contentions for dates of conception and/or reduction to practice for any of the patents in suit; and
- 5. Witness Systems will not attempt to further supplement its invalidity contentions for any of the patents-in-suit.

## YOUNG CONAWAY STARGATT & TAYLOR, LLP

FISH & RICHARDSON, P.C.

/s/Melanie K. Sharp

Melanie K. Sharp (No. 2501) Mary F. Dugan (No. 4704) The Brandywine Building 1000 West Street, 17<sup>th</sup> Floor Wilmington, DE 19801

P.O. Box 391 Wilmington, DE 19899 (302)571-6681 msharp@ycst.com

KAYE SCHOLER LLP Scott G. Lindvall Joseph M. Drayton 425 Park Avenue New York, NY 10022 (212)836-8000

Attorneys for Plaintiffs
Nice Systems, Inc. and Nice Systems, Ltd.

/s/William J. Marsden, Jr.

William J. Marsden, Jr. (No. 2247) Kyle Wagner Compton (No. 4693) 919 North Market Street, Suite 1100 P.O. Box 1114 Wilmington, DE 19899-1114 (302)778-8447 kcompton@fr.com

Nagandra Setty Daniel A. Kent 1180 Peachtree Street, NE, 21<sup>st</sup> Floor Atlanta., GA 30309

Attorneys for Defendant Witness Systems, Inc.

Dated: September 28, 2007

SO ORDERED this A day of October, 2007.

United States District Judge

# EXHIBIT J

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC., and NICE SYSTEMS LTD.,		:	
NOD BIBIDMB DID.,	Plaintiffs,	:	
v.		:	Civil Action No. 06-311-JJF
WITNESS SYSTEMS, INC.,		4	•
	Defendant.	;	
		; ***********	

# PLAINTIFFS NICE SYSTEMS, INC. AND NICE SYSTEMS, LTD'S SECOND SET OF INTERROGATORIES TO DEFENDANT WITNESS SYSTEMS, INC.

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, plaintiffs NICE Systems, Inc. and NICE Systems, Ltd. (collectively "NICE"), hereby request that defendant Witness Systems, Inc. ("Witness") answer the following interrogatories fully, separately, in writing, under oath and within thirty (30) days of the service of these interrogatories. These interrogatories incorporate the following Definitions and Instructions.

#### **DEFINITIONS AND INSTRUCTIONS**

1. Each interrogatory shall be answered fully unless it is in good faith objected to, in which event the reasons for Witness' objection shall be stated with specificity. If the objection pertains to only a portion of an interrogatory, or a word, phrase, or clause contained therein, Witness is required to state its objection to that portion only and to respond to the remainder of the interrogatory, using its best efforts to

do so. Witness' answers hereto are to be signed and verified by the person making them, and the objections signed by the attorney making them.

- These interrogatories seek full disclosure to the full extent allowed by the 2. Federal Rules of Civil Procedure and shall be interpreted as inclusive rather than exclusive. They are of a continuing nature and, to the extent required by the applicable rules, Witness is required to provide supplemental answers if Witness obtains additional or different information covered by any one of these interrogatories.
- The words "or," "and," "all," "any" and similar words of guidance are 3. intended merely as such and should not be construed as words of limitation. The words "or" and "and" shall include each other whenever possible to expand, not restrict, the scope of the interrogatory.
- If Witness does not answer some or all of any interrogatory because of a 4. claim of privilege or other protection, the claim shall be made expressly and shall describe the nature of the information not disclosed in a manner that will enable other parties to assess the applicability of the privilege or protection, as required by Rule 26(b)(5).
- "Witness" or "You" refers to Witness Systems, Inc., Witness Systems, 5. Plc., Eyretel, Plc, Eyretel, Inc., Software HotHouse, Ltd. and any of the directors, officers, consultants, agents, representatives, predecessors in interest, subsidiaries, affiliates, assignees, employees, attorneys and any other persons acting on Witness Systems, Inc.'s, Witness Systems, Plc.'s, Eyretel, Plc's, Eyretel, Inc.'s, or Software HotHouse, Ltd.'s behalf.
  - "Identify" when used in reference to: 6.

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- An individual, shall mean to state his or her full name, present or a. last known residential and business addresses, present or last known position and
- business affiliation, and if applicable, history of employment of that individual;
- A third party, shall mean to state its full name, present or last b. known address to the extent the third party is a firm, corporation, partnership, joint venture, association, or other organization or entity, state the place of incorporation or formation and identify each agent that acted for it with respect to the matters relating to the interrogatory or answer;
- A product, shall mean to state its name and model number and to ¢. state whether the model identified comprises any other models and, if so, which models.
- Should Witness respond to any of these interrogatories pursuant to Federal 7. Rule of Civil Procedure 33(d), all documents should be made available for inspection and copying on the date the responses to these interrogatories are due, or unless another date is agreed upon by the parties.
- The term "738 Patent" means U.S. Patent No. 5,274,738, entitled 8. "Modular Digital Voice Processing System" issued on December 28, 1993.
- The term "371 Patent" means U.S. Patent No. 5,396,371, entitled 9. "Endless Loop Voice Data Storage and Retrievable Apparatus and Method Thereof" issued on March 7, 1995.
- The term "005 Patent" means U.S. Patent No. 5,819,005, entitled 10. "Modular Digital Recording Logger" issued on October 6, 1998.

- 11. The term "570 Patent" means U.S. Patent No. 6,249,570, entitled "System and Method for Recording and Storing Telephone Call Information" issued on June 19, 2001.
- 12. The term "345 Patent" means U.S. Patent No. 6,728,345, entitled "System and Method for Recording and Storing Telephone Call Information" issued on April 27, 2004.
- 13. The term "'372 Patent" means U.S. Patent No. 6,775,372, entitled "System and Method for Multi-Stage Data Logging" issued on August 10, 2004.
- 14. The term "370 Patent" means U.S. Patent No. 6,785,370, entitled "System and Method for Integrating Call Record Information" issued on August 31, 2004.
- 15. The term "'920 Patent" means U.S. Patent No. 6,870,920, entitled "System and Method for Multi-Stage Data Logging" issued on March 22, 2005.
- 16. The term "'079 Patent" means U.S. Patent No. 6,959,079, entitled"Telephone Call Monitoring System" issued on October 25, 2005.
- 17. The term "109 Patent" means U.S. Patent No. 7,010,109, entitled "Digital Recording of IP Based Distributed Switching Platform" issued on March 14, 2005.
- 18. "Patents-in-Suit" means, collectively the '738 Patent, '371 Patent, '005 Patent, '570 Patent, '345 Patent, '372 Patent, '370 Patent, '920 Patent, '079 Patent and '109 Patent, each individually is a "Patent-in-Suit."
- 19. Asserted Claims are claim 1 of the '738 Patent, claims 1, 5 and 8 of the '371 Patent; claims 1, 3, 4, 6, 11, 13, 15, 20 and 21 of the '005 Patent; claims 6 and 7 of the '570 Patent; claims 14, 15, 21, 22, 23, 24, 25, 26, 40, 41, 42, 43, 45, 46, 47, 48, 49,

50, 51, and 52 of the '345 Patent; claims 1, 6, 14, 15, 17, 19, 33, 34 and 44 of the '372 Patent, claims 1, 5, 6, 8, 9, 11, 12, and 27 of the '370 Patent; claims 1, 3, 6, 16, 18 and 21 of the '920 Patent; Claim 6 of the '079 Patent; and claims 1, 3, 4, 6, 8, 15, 16, 18, 22, 24 and 29 of the '109 Patent, each individually is an "Asserted Claim."

- The term "Accused Products," each individually an "Accused Product," 20. includes any and all of the following products, ContactStore, ContactStore for Communication Manager, Quality for Communication Manager and ContactStore for IP, marketed or branded as set forth below or otherwise:
  - a. Eyretel's ContactStore;
  - b. Eyretel's MediaStore;
  - Eyretel's Contact 7000;
  - eQuality ContactStore;
  - ContactStore;
  - Witness ContactStore for Communication Manager;
  - Witness Quality for Communication Manager;
  - Impact 360;
  - eQuality Balance;
  - eQuality ContactStore for IP;

or any other product that performs substantially the same function as any of the products referenced above.

#### INTERROGATORIES

#### INTERROGATORY NO. 1(a)

On a claim-by-claim basis and for each claim element, state whether you contend that NICE's response to Witness' Interrogatory No. 13 set forth in Exhibit A to that document does not demonstrate infringement of the Accused Products. For each claim element that you contend NICE has not demonstrated infringement by each Accused Product, on a claim-by-claim basis in a chart, describe in detail the factual and legal bases as to why the specific infringement contention identified in NICE's response to Witness' Interrogatory No. 13 set forth in Exhibit A to that document does not demonstrate infringement of the Accused Products.

#### INTERROGATORY NO. 2(a)

On a claim-by-claim basis in a chart, for each prior art reference identified by Witness in response to NICE's Interrogatory No. 2, identify the disclosure in each prior art reference of each limitation of the Asserted Claims in the respective Patent-in-Suit. To the extent that Witness asserts the prior art references support its invalidity defense under 35 U.S.C. § 103, it must further identify any prior art combinations and the motivation to combine those references.

#### INTERROGATORY NO. 10

For each Accused Product, identify any other Witness products that perform either the identical or substantially the same function.

#### INTERROGATORY NO. 11

Identify each version of each Accused Product and/or each product identified in response to Interrogatory No. 10, above, that Witness has developed, marketed, made, sold, used, or offered for sale. Trace each version back to the first product in its progeny in the form of a chart listing the date of development, marketing, use, sale or offer for sale for each such product.

#### **INTERROGATORY NO. 12**

In the areas of (a) product management, (b) product development, (c) sales, (d) marketing, (e) product function and (f) product operation, (g) manufacture and (h) distribution, identify the three most knowledgeable employees (either current or former) in each area for each Accused Product and/or products identified in response to Interrogatory No. 10, above.

#### **INTERROGATORY NO. 13**

For each Accused Products, and/or the products identified in response to Interrogatory No. 10, above, identify each and every customer to whom you have sold or otherwise provided a system incorporating the particular product.

#### **INTERROGATORY NO. 14**

Identify the dates and circumstances when Witness first became aware of each of the Patents-In-Suit, and describe the action taken, if any, by Witness as a result of becoming aware of each patent.

#### **INTERROGATORY NO. 15**

Identify all products developed, made, sold or offered for sale that fall within the scope of and/or integrated with Impact 360 by providing a chart identifying each product, including the date of development, manufacture, sale or offer for sale for each such product.

#### **INTERROGATORY NO. 16**

Identify each license you have given or taken for patents that cover quality monitoring, compliance and/or IP recording, workforce management, performance management, and e-learning software, including without limitation, the royalty rate for each license.

#### INTERROGATORY NO. 17

Identify on a quarterly basis, from March 30, 2000 to present, the unit sales, revenues, profits, and costs (direct and indirect) for each version of each Accused Product and/or each product identified in response to Interrogatory No. 10, including the unit sales, revenues, profits and costs for each version of each component associated with each identified products and/or product suite. Include in your response revenue, profit and costs associated with the maintenance and service of each product.

#### INTERROGATORY NO. 18

Identify the three people within Witness or any of its subsidiaries or affiliated companies, who are most knowledgeable about each Interrogatory Nos. 14-17.

#### **INTERROGATORY NO. 19:**

For each Accused Product and/or products identified in response to Interrogatory No. 10, above, identify all products that you contend compete or have competed with the respective Accused Product and/or products identified in response to Interrogatory No. 10 since the first sale of that Product.

#### **INTERROGATORY NO. 20:**

For each Accused Product and/or products identified in response to Interrogatory No. 10, above, identify all third party software or hardware that is or was used by, or is or was a component or part of the Accused Products and/or products identified in response

to Interrogatory No. 10, including identifying the name of the software and/or hardware, vendor and price of the third party software or hardware.

#### INTERROGATORY NO. 21:

Identify each and every factual and/or legal basis for Witness' contention that NICE is not entitled to injunctive relief in this litigation, including why Witness claims monetary damages are adequate to compensate NICE for its harm, how Witness claims the balance of hardships favors Witness, and how the public interest would not be served by a permanent injunction, if Witness so contends.

#### INTERROGATORY NO. 22:

Identify the corporate officers and directors for Witness from 1991 to present, including providing names, positions, addresses, titles, duties, and tenures.

#### **INTERROGATORY NO. 23:**

To the extent that you deny NICE's first and second requests for admission, explain each and every factual and legal basis for your denial.

#### **INTERROGATORY NO. 24:**

Identify the steps taken by Witness in responding to any of the document requests served by NICE in this litigation, including the identification of the addresses of all locations searched, all electronic media searched, what types of documents were found at each searched location, each person from whom documents were sought, and what additional steps were taken, if any.

#### **INTERROGATORY NO. 25:**

Identify all versions of source code that were made available in the U.S. for any of the Accused Products and/or products identified in response to Interrogatory No. 10, above, including the name of each source code version, the location of each source code version, any additional information necessary to locate each source code version, and to whom each source code was made available and when.

#### **INTERROGATORY NO. 26:**

Identify what Witness contends is the market share of each competitor for the market you identified in response to Interrogatory No. 19.

#### **INTERROGATORY NO. 27:**

Identify any acceptable or unacceptable substitutes in the United States for the Accused Products and/or other call center products, whether infringing any of the Patents-in-Suits or not, from the filing dates of the Patents-in-Suit to the present.

#### **INTERROGATORY NO. 28:**

Identify any likely new entrants into the creation, development, production, distribution or sale of any call center products if prices were raised 5% and/or 10% and sustained, including any relevant requirements, such as costs and scale requirements, for entry.

Dated: January 31, 2007

OF COUNSEL:
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Daniel P. DiNapoli
Joseph M. Drayton
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New York, New York 10022
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(302) 571-6600
alundgren@ycst.com

Attorneys for NICE Systems, Inc. and NICE Systems Ltd.

#### CERTIFICATE OF SERVICE

I, Andrew A. Lundgen, Esquire, hereby certify that on January 31, 2007, I caused copies of the foregoing document to be served by hand delivery and electronic mail upon the following counsel of record:

William J. Marsden, Jr., Esquire (marsden@fr.com)
Kyle Wagner Compton, Esquire (kcompton@fr.com)
Fish & Richardson, PC
919 N. Market Street, Suite 1100
Wilmington, DE 19801

I further certify that on January 31, 2007, I caused a copy of the foregoing document to be served upon the following in the manner indicated:

#### BY ELECTRONIC MAIL

Noah C. Graubart, Esquire (graubart@fr.com)
Nagendra Setty, Esquire (nsetty@fr.com)
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Attorneys for NICE Systems, Inc. and NICE Systems Ltd.

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# EXHIBIT K

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

		· X	•
NICE SYSTEMS, INC., and		*	
NICE SYSTEMS LTD.,		:	
	Plaintiffs,	;	Civil Action No. 06-311-JJF
v.		;	
WITNESS SYSTEMS, INC.,		:	
	Defendant.	:	•
		X	

# PLAINTIFFS NICE SYSTEMS, INC AND NICE SYSTEMS LTD'S FIRST SET OF INTERROGATORIES TO DEFENDANT WITNESS SYSTEMS, INC.

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, plaintiffs NICE Systems, Inc. and NICE Systems, Ltd. (collectively "NICE"), hereby requests that defendant Witness Systems, Inc.'s ("Witness") answer the following interrogatories fully, separately, in writing, under oath and within thirty (30) days of the service of these interrogatories. These interrogatories incorporate the following Definitions and Instructions.

#### **DEFINITIONS AND INSTRUCTIONS**

1. Each interrogatory shall be answered fully unless it is in good faith objected to, in which event the reasons for Witness' objection shall be stated with specificity. If the objection pertains to only a portion of an interrogatory, or a word, phrase, or clause contained therein, Witness is required to state its objection to that portion only and to respond to the remainder of the interrogatory, using its best efforts to do so. Witness' answers hereto are to be signed and verified by the person making them, and the objections signed by the attorney making them.

- 2. These interrogatories seek full disclosure to the full extent allowed by the Federal Rules of Civil Procedure and shall be interpreted as inclusive rather than exclusive. They are of a continuing nature and, to the extent required by the applicable rules, Witness is required to provide supplemental answers if Witness obtains additional or different information covered by any one of these interrogatories.
- 3. The words "or," "and," "all," "any" and similar words of guidance are intended merely as such and should not be construed as words of limitation. The words "or" and "and" shall include each other whenever possible to expand, not restrict, the scope of the interrogatory.
- 4. If you do not answer some or all of any interrogatory because of a claim of privilege or other protection, the claim shall be made expressly and shall describe the nature of the information not disclosed in a manner that, without revealing itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection, as required by Rule 26(b)(5).
- 5. Witness refers to Witness Systems, Inc. and its directors, officers, consultants, agents, representatives, predecessors in interest, subsidiaries, affiliates, assignees, employees, attorneys and any other person acting on Witness's behalf.
  - 6. "Identify" when used in reference to:
  - a. An individual, shall mean to state his or her full name, present or last known residential and business addresses, present or last known position and business affiliation, and if applicable, history of employment of that individual;
  - b. A third party, shall mean to state its full name, present or last known address to the extent the third party is a firm, corporation, partnership, joint venture, association, or other organization or entity, state the place of incorporation or formation

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and identify each agent that acted for it with respect to the matters relating to the interrogatory or answer;

- c. A product, shall mean to state its name and model number and to state whether the model identified comprises any other models and, if so, which models.
- 7. Should Witness respond to any of these interrogatories pursuant to Federal Rule of Civil Procedure 33(d), all documents should be made available for inspection and copying on the date the responses to these interrogatories are due, or a date agreed upon by the parties.
- 8. The term "738 Patent" means U.S. Patent No. 5,274,738, entitled "Modular Digital Voice Processing System" issued on December 28, 1993.
- 9. The term "371 Patent" means U.S. Patent No. 5,396,371, entitled "Endless Loop Voice Data Storage and Retrievable Apparatus and Method Thereof" issued on March 7, 1995.
- 10. The term "005 Patent" means U.S. Patent No. 5,819,005, entitled "Modular Digital Recording Logger" issued on October 6, 1998.
- 11. The term "570 Patent" means U.S. Patent No. 6,249,570, entitled "System and Method for Recording and Storing Telephone Call Information" issued on June 19, 2001.
- 12. The term "345 Patent" means U.S. Patent No. 6,728,345, entitled "System and Method for Recording and Storing Telephone Call Information" issued on April 27, 2004.
- 13. The term "372 Patent" means U.S. Patent No. 6,775,372, entitled "System and Method for Multi-Stage Data Logging" issued on August 10, 2004.
- 14. The term "'370 Patent" means U.S. Patent No. 6,785,370, entitled "System and Method for Integrating Call Record Information" issued on August 31, 2004.
- 15. The term "920 Patent" means U.S. Patent No. 6,870,920, entitled "System and Method for Multi-Stage Data Logging" issued on March 22, 2005.

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- 16. The term "079 Patent" means U.S. Patent No. 6,959,079, entitled "Telephone Call Monitoring System" issued on October 25, 2005.
- 17. The term "109 Patent" means U.S. Patent No. 7,010,109, entitled "Digital Recording of IP Based Distributed Switching Platform" issued on March 14, 2005.
- 18. "Patents-in-Suit" means, collectively the '738 Patent, '371 Patent, '005 Patent, '570 Patent, '345 Patent, '372 Patent, '370 Patent, '920 Patent, '079 Patent and '109 Patent, each individually is a "Patent-in-Suit."
- 19. The term "Accused Products," each individually an "Accused Product," includes any and all of the following products, ContactStore, ContactStore for Communication Manager, Quality for Communication Manager and ContactStore for IP, marketed or branded as set forth below or otherwise:
  - a. Eyretel's ContactStore.
  - b. Eyretel's MediaStore.
  - c. Eyretel's Contact 7000.
  - d. eQuality ContactStore.
  - e. ContactStore.
  - f. Witness ContactStore for Communication Manager.
  - g. Witness Quality for Communication Manager.
  - h. Impact 360,
  - i. eQuality Balance.
  - j. eQuality ContactStore for IP.

or any other product that performs substantially the same function as any of the products referenced above.

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#### INTERROGATORIES

#### **INTERROGATORY NO. 1:**

Describe in detail the factual and legal bases for Witness' contention that "Witness Systems has not and does not infringe, directly or indirectly, any claim of any of the '738, '371, '005, '570, '345, '370, '920, '079, and/or '109 patents, either literally or under the doctrine of equivalents." The detailed description of such factual and legal bases should include, without limitation, an identification on a claim-by-claim basis of each claim limitation Witness contends is not met by the Accused Products, either literally or under the doctrine of equivalents.

#### **INTERROGATORY NO. 2:**

Describe in detail the factual and legal bases for Witness' contention that "[t]he claims of the '738, '371, '005, '345, '372, '370,'920, '079, and '109 patents are invalid for failure to comply with the United States patent laws, 35 U.S.C. §§ 1, et seq., including without limitation §§ 102, 103, and/or 112." The detailed description of such factual and legal bases should include, without limitation, an identification of which aspect(s) of 35 U.S.C. § 112 Witness contends the Patents-In-Suit do not meet and an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **INTERROGATORY NO. 3:**

Describe in detail the factual and legal bases for Witness' contention that "[b]y virtue of the proceedings in the USPTO during the prosecution of the applications that matured into the '738, '371, '005, '345, '372, '370,'920, '079, and '109 patents, as illustrated by their prosecution histories, NICE is estopped from asserting that Witness Systems has infringed directly or

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indirectly, any claim of any of the '738, '371, '005, '345, '372, '370,'920, '079, and '109 patents, either literally or under the doctrine of equivalents." The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **INTERROGATORY NO. 4:**

Describe in detail the factual and legal bases for Witness' contention that "NICE's patent infringement claims are barred by the doctrine of laches." The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### INTERROGATORY NO. 5:

Describe in detail the factual and legal bases for Witness' contention that "NICE's patent infringement claims are barred based on the doctrine of equitable estoppel." The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **INTERROGATORY NO. 6:**

Describe in detail the factual and legal bases for Witness' contention that "NICE's patent infringement claims are barred based on the doctrine of waiver." The detailed description of such factual and legal bases should include, without limitation, an identification and description of

every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **INTERROGATORY NO. 7:**

Describe in detail the factual and legal bases for Witness' contention that "NICE's patent infringement claims are barred based on the doctrine of unclean hands." The detailed description of such factual and legal bases should include, without limitation, an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **INTERROGATORY NO. 8:**

Describe in detail the factual and legal bases for Witness' contention that "NICE's claims for damages for purported patent infringement are limited by 35 U.S.C. § 287." The detailed description of such factual and legal bases should include, without limitation, an identification of any NICE product (or products) that Witness contends fails to give notice to the public that it is covered by a patent and should include an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

#### **INTERROGATORY NO. 9:**

Describe in detail the factual and legal bases for Witness' contention that "[t]he '371 patent is unenforceable due to the intentional failure to disclose to the USPTO, during prosecution, information known to be material to the patentability of the subject matter claimed in the '371 patent, in violation of the duties of candor and good faith required under 37 C.F.R. § 1.56." The detailed description of such factual and legal bases should include, without limitation,

an identification and description of every document, tangible item and item of information that Witness has relied upon or intends to rely upon as support for its contention.

Document 365-7

Dated: December 19, 2006

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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Karen E. Keller (No. 4489) The Brandywine Building

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Attorneys for Plaintiffs Nice Systems, Inc. and Nice Systems, Ltd.

#### CERTIFICATE OF SERVICE

I. Karen E. Keller, Esquire, hereby certify that on December 19, 2006, I caused two copies of the foregoing document, Plaintiffs Nice Systems, Inc. and Nice Systems, Ltd.'s First Set of Interrogatories to Defendant Witness Systems, Inc. to be served on the following counsel of record in the manner indicated below:

#### BY HAND DELIVERY AND E-MAIL

William J. Marsden, Jr., Esquire Kyle Wagner Compton, Esquire Fish & Richardson, P.C. 919 North Market Street, Suite 1100 P.O. Box 1114 Wilmington, DE 19899-1114

#### BY E-MAIL

Noah C. Graubart (graubart@fr.com) Nagendra Setty (setty@fr.com) John Hamann (haman@fr.com) Daniel A. Kent (kent@fr.com) Christopher O. Green (green@fr.com) Fish & Richardson, P.C. 1180 Peachtree Street, NE 21st Floor Atlanta, GA 30309

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# EXHIBIT L

#### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD.,	
Plaintiffs,	
v.	C.A. No. 06-311-JJF
WITNESS SYSTEMS, INC.,	•
Defendant.	

#### **DEFENDANT'S INITIAL DISCLOSURES**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Witness Systems, Inc. ("Witness") makes the following initial disclosures. Witness is continuing its investigation, including conducting a reasonable search for relevant documents and witnesses, and will supplement these disclosures in a timely manner, where necessary, in accordance with Rule 26(e).

#### I. **INDIVIDUALS**

The following individuals are employed by or affiliated with Witness Systems, Inc., located at 300 Colonial Center Parkway, Roswell, Georgia 30076, and can be contacted only through Witness' counsel at Fish & Richardson. These individuals are likely to have discoverable information that Witness may use to support its defenses and any claims that Witness may assert in this case:

see a	
Kevin Hegebarth	Marketing, design, and development of accused Witness products.
Nancy Treaster	Marketing of accused Witness products.
Christopher Blair	Technical aspects of accused Witness products.
Jeff Ianonne	Technical aspects of accused Witness products.
Ed Murray	Technical aspects of accused Witness products.
Kathy Miller	Sales of accused Witness products.
William Evans	Witness' general financial performance and the financial performance of accused Witness products.

The following former Witness employees are likely to have discoverable information that Witness may use to support its claims or defenses. These individuals may have continuing obligations of confidentiality to Witness and also should be contacted through Witness' counsel at Fish & Richardson.

	A. Opens
John May	Technical information concerning accused Witness products.
Chris Straut	Technical information concerning accused Witness products.
Doug Gisby	Technical information concerning accused Witness products.
Chris Jeffs	Sales and marketing information concerning accused Witness products.

The following categories of current or former employees of NICE Systems Ltd. and/or NICE Systems, Inc. (collectively "NICE") are likely to have discoverable information that Witness may use to support its claims or defenses:

Nai na	
Unknown individuals NICE Systems, Inc. 301 Route 17 North 10 <sup>th</sup> Floor Rutherford, NJ 07070	Technical, financial, sales, marketing and/or product management information concerning NICE products that allegedly embody the inventions, if any, of the patents-in-suit.
Unknown individuals NICE Systems, Ltd. 8 Hapnina Drive, Ra'anana 43107 Israel	Technical, financial, sales, marketing and/or product management information concerning NICE products that allegedly embody the inventions, if any, of the patents-in-suit.
Unknown individuals (former Dictaphone employees)	Technical, financial, sales, marketing and/or product management information concerning current or former Dictaphone and/or NICE products that allegedly embody the inventions, if any, of the patents-in-suit.
Inventors of all NICE patents-in-suit	Conception, reduction to practice, diligence, design and, development of the subject matter claimed in all of the NICE patents-in-suit.

#### II. DOCUMENTS

Witness has conducted and continues to conduct a reasonable search and has located in its possession, custody, or control the following categories of documents that it may use to support its claims or defenses. Such documents are located either at Witness Systems' facilities in Roswell, Georgia, or Leatherhead, England, or at the offices of Witness Systems' litigation counsel, and which will be made available to NICE's counsel for inspection and copying at a mutually agreeable time and place, subject to the entry of

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an appropriate protective order, particularly as it pertains to sensitive technical and commercial information identified below.

- The patents-in-suit;
- File histories for the patents-in-suit;
- Documents regarding NICE and/or Dictaphone products;
- Press releases, web pages, articles and other publicly available information about the relevant industry and accused products;
- Documents regarding the development of the accused products;
- Documents regarding Witness products that are prior art to the patents-in-
- Witness patent applications that are prior art to the patents-in-suit;
- Additional prior art documents;
- Documents showing NICE's knowledge of prior art that it did not disclose to the U.S. Patent & Trademark Office;
- Documents regarding the sales and marketing of the accused products;
- NICE's financial disclosures, annual reports, public filings, and Internet web pages;
- Documents from STS Software Systems Ltd. v. Witness Systems, Inc., Case No. 1:04-CV-2111-RWS (N.D. Ga.) subject to the terms of the Protective Order;
- Documents from Witness Systems, Inc. v. NICE Systems, Inc. & NICE Systems Ltd., Case No. 1:04-CV-2531-CAP (N.D. Ga.) subject to the terms of the Protective Order;
- Documents from Witness Systems, Inc. v. NICE Systems, Inc. & NICE Systems Ltd., Case No. 1:06-CV-0126-TCB (N.D. Ga.) subject to the terms of the Protective Order; and
- Documents concerning earlier litigation matters in which at least one of the NICE patents-in-suit was involved.

#### III. **COMPUTATION OF DAMAGES**

Witness will seek costs of suit, attorneys' fees under 35 U.S.C. § 285, and any other relief that is deemed just and proper.

#### IV. INSURANCE AGREEMENT

Witness is unaware of any applicable agreement.

Dated: October 17, 2006

FISH & RICHARDSON P.C.

By: /s/William J. Marsden, Jr.

William J. Marsden, Jr. (#2247) Kyle Wagner Compton (#4693) 919 N. Market Street, Suite 1100 P. O. Box 1114 Wilmington, Delaware 19899-1114 Telephone: (302) 652-5070

Nagendra Setty Daniel A. Kent John D. Hamann 1180 Peachtree Street, NE 21st Floor Atlanta, GA 30309 Tel: (404) 892-5005

**Attorneys for Defendant** Witness Systems, Inc.

#### CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of October, 2006, I caused a copy of DEFENDANT'S INITIAL DISCLOSURES to be served on the following counsel of record in the manner indicated below:

#### **VIA ELECTRONIC & FIRST CLASS MAIL:**

Josy W. Ingersoll Karen L. Pascale Young, Conoway, Stargatt & Taylor, LLP 1000 West Street, 17<sup>th</sup> Floor P.O. Box 391 Wilmington, DE 19899 Attorneys for Plaintiffs Nice Systems Ltd. and Nice Systems, Inc.

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/s/ Kyle Wagner Compton

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